



**HOUSING AUTHORITY
of the County of Los Angeles**

Administrative Office

2 Coral Circle • Monterey Park, CA 91755

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Gloria Molina
Mark Ridley-Thomas
Zev Yaroslavsky
Don Knabe
Michael D. Antonovich
Commissioners

Sean Rogan
Executive Director

**AGENDA
FOR THE REGULAR MEETING OF THE
LOS ANGELES COUNTY HOUSING COMMISSION
WEDNESDAY, AUGUST 26, 2009
12:00 NOON
HARBOR HILLS
1876 PALOS VERDES DRIVE NORTH
LOMITA, CA 90717
(310) 534-6838**

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1. Call to Order

2. Roll Call

Severyn Aszkenazy, Chair
Lynn Caffrey Gabriel, Vice Chair
Adriana Martinez
Henry Porter, Jr.
Alberta Parrish

3. Reading and Approval of the Minutes of the Previous Meetings
Regular Meeting of July 22, 2009

4. Report of the Executive Director

5. Report on Status of Ujima Village Relocation and Disposition

6. Public Comments

The public may speak on matters that are within the jurisdiction of the Housing Commission. Each person is limited to three minutes.

7. Staff Presentations

Harbor Hills Youth Programs – Antonina Lopez
Service Award Presentation – Maria Badrakhhan
Young Black Scholars Residents Scholarship Award Presentation –
Maria Badrakhhan
Ujima Village Report: Relocation and Recovery – CDC Summer Interns

Regular Agenda

8. **Approve Executive Director \$100,000 Signature Authority for Executing Contracts (All Districts)**

Recommend that the Board of Commissioners authorize the Executive Director, or his designee, to execute, administer, implement and if necessary terminate contracts with maximum compensation of up to \$100,000 per contract year without Board approval. (APPROVE)

9. **Approve Construction Contract for South Scattered Sites Vehicular Gate Replacement Project in Unincorporated South Los Angeles County (District 2)**

Recommend that the Board of Commissioners award and authorize the Executive Director to execute, administer, implement, and if necessary, terminate a contract in the amount of \$147,000 with Harris Steel Fence Company, Inc. to complete the replacement of vehicular and pedestrian gates at various South Scattered Sites housing developments; authorize the Executive Director to fund the contract with a total of \$147,000 in Community Development Block Grant (CDBG) funds allocated to the Second Supervisorial District HUD and included in the Housing Authority's approved Fiscal Year 2009-2010 budget for this purpose; and authorize the Executive Director to approve contract change orders not to exceed \$29,400 for unforeseen project costs. (APPROVE)

10. **Approve the Housing Authority of the County of Los Angeles Fiscal Year 2009-2010 Supplemental Budget**

Recommend that the Board of Commissioners adopt and instruct the Chairman to sign a revised resolution approving the Housing Authority's Fiscal Year 2009-2010 Budget, which includes additional revenues and expenditures of \$2,500,000; instruct the Executive Director to implement the supplemental Budget and take all related actions, including execution of all required documents, following approval as to form by County Counsel. (APPROVE)

11. **Approve Construction Contract for Elevator Modernization at the Carmelitos Senior Housing Development in the City of Long Beach (District 4)**

Recommend that the Board of Commissioners award and authorize the Executive Director to execute, administer, implement, and if necessary, terminate a contract in the amount of \$354,400 to M.L. Construction to complete the modernization of two elevators at the Carmelitos senior housing development; authorize the Executive Director to fund the contract with a total of \$318,945 in Community Development Block Grant-Recovery (CDBG-R) funds and \$35,455 in Countywide Community Development Block Grant (CDBG) funds allocated by HUD and included in the Housing Authority's approved Fiscal Year 2009-2010 budget for this purpose; and authorize the Executive Director to approve

contract change orders not to exceed \$70,880 for unforeseen project costs, using Countywide CDBG funds. (APPROVE)

12. Approve the Amendment to the Section 8 Program Administrative Plan for the Housing Authority of the County of Los Angeles (All Districts)

Recommend that the Board of Commissioners approve the amended Administrative Plan, as required by HUD, to update the Housing Authority's policies in the Section 8 Program Administrative Plan; adopt and instruct the Chairman to sign a resolution authorizing the Executive Director to take all actions required for implementation of the Administrative Plan. (APPROVE)

13. Housing Commissioners Comments and Recommendations for Future Agenda Items

Housing Commissioners may provide comments or suggestions for future Agenda items.

Copies of the preceding agenda items are on file and are available for public inspection between 8:00 a.m. and 5:00 p.m., Monday through Friday, at the Housing Authority's main office located at 2 Coral Circle in the City of Monterey Park. Access to the agenda and supporting documents is also available on the Housing Authority's website.

Agendas in Braille are available upon request. American Sign Language (ASL) interpreters, or reasonable modifications to Housing Commission meeting policies and/or procedures, to assist members of the disabled community who would like to request a disability-related accommodation in addressing the Commission, are available if requested at least three business days prior to the Board meeting. Later requests will be accommodated to the extent possible. Please contact the Executive Office of the Housing Authority by phone at (323) 838-5051, or by e-mail at marisol.ramirez@lacdc.org, from 8:00 a.m. to 5:00 p.m., Monday through Friday.

THE HOUSING AUTHORITY OF THE COUNTY OF LOS ANGELES

MINUTES FOR THE REGULAR MEETING OF THE

LOS ANGELES COUNTY HOUSING COMMISSION

Wednesday, July 22, 2009

The meeting was convened at the Commission Headquarters, located at 2 Coral Circle, Monterey Park, California.

Digest of the meeting. The Minutes are being reported seriatim. A taped record is on file at the main office of the Housing Authority.

The meeting was called to order by Chair Severyn Aszkenazy at **12:12 p.m.**

ROLL CALL

Present

Absent

Severyn Aszkenazy, Chair

X

Lynn Caffrey Gabriel, Vice Chair

X

Adriana Martinez

X

Henry Porter, Jr.

X

Alberta Parrish

X

PARTIAL LIST OF STAFF PRESENT:

Sean Rogan, Executive Director

Bobbette A. Glover, Assistant Executive Director

Maria Badrakhn, Acting Assistant Executive Director, Housing Programs

Esther Keosababian, Acting Director, Housing Management

Emilio Salas, Director, Administrative Services

Marcie Miranda, Manager, Housing Management

Marisela Crabbe, Manager, Housing Management

GUESTS PRESENT:

Shirley Batman, Community Development Foundation (CDF) Board Member

Dave Fisher, CDF Board Member

Ray Grabinski, CDF Board Member

Richard Martinez, Consultant, Executive Office

Venice Gamble, Scholarship Recipient

Akemie Jones, Scholarship Recipient

Judith Martinez, Scholarship Recipient

Joseph Cuellar, Scholarship Recipient

Marlena Youngblood, Harbor Hills resident

Reading and Approval of the Minutes of the Previous Meeting

On Motion by Commissioner Porter, seconded by Commissioner Gabriel, the Minutes of the Regular Meeting of June 24, 2009, were approved.

Agenda Item No. 4 - Report of the Executive Director

Ms. Maria Badrakhan reported on the following items:

HUD has issued a notice to public housing authorities that under the Public Information System, housing authorities will share information about debts owed by tenants to other housing authorities.

An American Recovery and Reinvestment Act (ARRA) grant application for \$5.9 million dollars has been submitted. The energy efficiency grant will benefit Nueva Maravilla.

In response to Commissioner Porter's request for the status of former Tenant Commissioners, most are still living at Housing Authority developments however, they are not actively participating in any resident organizations.

An award has been received for 280 Veterans Affairs Supportive Housing (VASH) vouchers.

A Corrective Action Plan (CAP) was submitted to the Board in July. Copies of the CAP were provided.

HUD has announced that the Housing Authority's Section 8 Program is now rated as Standard Performer.

The position for Assistant Executive Director for Housing Programs has been advertised to the public, and will remain open until filled.

Agenda Item No. 5 – Report on Status of Ujima Village Relocation and Disposition

A memo on the status of Ujima Village was provided.

Agenda Item No. 6 – Public Comments

No comments were received from the public.

Agenda Item No. 7 - Staff Presentations

Ms. Badrakhan introduced the following CDF Board Members: Shirley Batman, Bank of America; Dave Fisher, retired East Los Angeles College; Richard Martinez, Community Development Commission; Ray Grabinski, Cooperative Extension Program; and Maria Badrakhan of the Housing Authority. Ms. Badrakhan announced that Ms. Marlena Youngblood, Harbor Hills resident, was in attendance to award a scholarship in memory of her son, Eddie Franklin.

CDF Scholarship awards were presented to the following recipients: Venice Gamble, Carmelitos resident, attending Saint Frances Career College; Judith Martinez, Nueva Maravilla resident, who will attend UCLA; Joseph Cuellar, Section 8 participant, attending California State University Long Beach; and Akemie Jones, Section 8 participant, attending the University of Phoenix.

The following recipients were not present to receive their awards: Ms. Sophia Sou, Nueva Maravilla resident, attending UCLA; and Ms. Rebecca Talmadge, Palm Senior Housing resident, attending California State University. Two award recipients wished to remain anonymous.

The Housing Commissioners commended the scholarship recipients for their commitment to higher education; and the CDF Board Members for their commitment and service.

Jimmy Ng presented his report on The Growing Experience and responded to questions from the Commissioners.

Ms. Badrakhan announced that the service award to former Commissioner Philip Dauk will be presented at the next meeting.

Regular Agenda

On Motion by Commissioner Gabriel, seconded by Commissioner Porter, and unanimously carried, the following was approved by the Housing Commission:

APPROVE CONSTRUCTION CONTRACT FOR OCEAN PARK SITE IMPROVEMENTS PROJECT IN SANTA MONICA (DISTRICT 3) AGENDA ITEM NO. 8

1. Recommend that the Board of Commissioners find that the approval of a Contract for interior and exterior improvements at the Ocean Park housing development is exempt from the provisions of the California Environmental Quality Act (CEQA) because the work includes activities that will not have the potential for causing a significant effect on the environment.
2. Recommend that the Board of Commissioners award and authorize the Executive Director to execute, administer, implement, and if necessary, terminate a Contract in the amount of \$499,544 to AZ Home, Inc. to complete the interior and exterior improvements at the Ocean Park housing development, following approval as to form by County Counsel.
3. Recommend that the Board of Commissioners authorize the Executive Director to fund the Contract with a total of \$499,455 in Capital Fund Program funds allocated by the U.S. Department of Housing and Urban Development (HUD) and included in the Housing Authority's approved Fiscal Year 2009-2010 budget for this purpose; and authorize the Executive Director to approve Contract change orders not to exceed \$99,891 for unforeseen project costs, using the same source of funds and following approval as to form by County Counsel.

On Motion by Commissioner Martinez, seconded by Commissioner Porter, and unanimously carried, the following was approved by the Housing Commission:

**APPROVE CONSTRUCTION CONTRACT FOR PLAYGROUND
IMPROVEMENTS AT THE CARMELITOS HOUSING DEVELOPMENT IN THE
CITY OF LONG BEACH AND THE HARBOR HILLS HOUSING
DEVELOPMENT IN THE CITY OF LOMITA (DISTRICT 4)
AGENDA ITEM NO. 9**

1. Recommend that the Board of Commissioners find that the approval of a Contract for playground improvements at the Carmelitos and Harbor Hills housing developments is exempt from the provisions of the California Environmental Quality Act (CEQA) because the work includes activities that will not have the potential for causing a significant effect on the environment.
2. Recommend that the Board of Commissioners award and authorize the Executive Director to execute, administer, implement and if necessary terminate a Contract in the amount of \$182,710 to HJ Hunsaker Construction, Inc. dba HH Construction, to complete playground improvements at the Carmelitos and Harbor Hills housing developments, following approval as to form by County Counsel.
3. Recommend that the Board of Commissioners authorize the Executive Director to fund the Contract with a total of \$125,000 in Community Development Block Grant (CDBG) funds allocated to the Fourth Supervisorial District and \$57,710 in Capital Fund Program funds allocated by the U.S. Department of Housing and Urban Development (HUD) and included in the Housing Authority's approved Fiscal Year 2009-2010 budget for this purpose; and authorize the Executive Director to approve Contract change orders not to exceed \$36,542 for unforeseen project costs, using Capital Fund Program funds and following approval as to form by County Counsel.

On Motion by Commissioner Porter, seconded by Commissioner Gabriel, and unanimously carried, the following was approved by the Housing Commission:

**APPROVE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
PROCUREMENT AND CONTRACTING REQUIREMENTS FOR DESIGNATED
PROJECTS (ALL DISTRICTS)
AGENDA ITEM NO. 10**

1. Recommend that the Board of Commissioners find that the approval of procurement and contracting requirements as required by ARRA, as described herein, is not subject to the provisions of the California

Environment Quality Act (CEQA) because the activity is not defined as a project under CEQA.

2. Recommend that the Board of Commissioners authorize and instruct the Executive Director to amend the Housing Authority's procurement policies in order to expedite and facilitate the use of ARRA funds, in conformance with procurement requirements in 24 CFR Part 85 and the Buy American requirements of Section 1605 of ARRA.
3. Recommend that the Board of Commissioners authorize the Housing Authority to conduct informal procurement without advertisement for ARRA-funded contracts up to \$100,000, consistent with 24 CFR Part 85.
4. Recommend that the Board of Commissioners authorize the Executive Director to approve and execute contracts up to \$100,000 funded wholly or mostly with ARRA funds.

On Motion by Commissioner Martinez, seconded by Commissioner Porter, and unanimously carried, the following was approved by the Housing Commission:

APPROVE THE REVISED RESOLUTION FOR FINAL PAYMENT FOR THE
U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S OFFICE
OF INSPECTOR GENERAL AUDIT OF THE HOUSING CHOICE VOUCHER
PROGRAM (ALL DISTRICTS)
AGENDA ITEM NO. 11

1. Recommend that the Board of Commissioners find that the adoption of a revised resolution for the Housing Choice Voucher Program is not subject to the provisions of the California Environment Quality Act (CEQA) because the activity is not defined as a project under CEQA.
2. Recommend that the Board of Commissioners adopt and instruct the Chairman to sign a revised resolution approving the lump sum repayment of \$833,333.34 to the U.S. Department of Housing and Urban Development (HUD) to close out HUD's final audit report of the Housing Authority's Section 8 Housing Choice Voucher Program.

On Motion by Commissioner Porter, seconded by Commissioner Gabriel, and unanimously approved by the Housing Commission, the following agenda item was approved as amended:

The Resolution will be corrected by adding the word "Authority" and the duplicated line on page two of the Board letter will be deleted.

ADOPT RESOLUTION REGARDING SECTION 8 HOUSING CHOICE
VOUCHER PROGRAM APPLICANT SCREENING CRITERIA AND
PARTICIPANT TERMINATION POLICY (ALL DISTRICTS)
AGENDA ITEM NO. 12

1. Recommend that the Board of Commissioners adopt and instruct the Chairman to sign a resolution regarding Housing Authority policies to deter criminal activity in the Section 8 Housing Choice Voucher Program.
2. Recommend that the Board of Commissioners find that adoption of the resolution is not subject to the California Environmental Quality Act (CEQA) because the action is not defined as a project under CEQA.

Agenda Item No. 13 – Housing Commissioner Comments and Recommendations for Future Agenda Items

Commissioner Porter requested clarification on an article by Elisa Vasquez, Intergovernmental Relations/Public Information Manager, regarding the rehabilitation of foreclosed homes. Executive Director, Sean Rogan, stated the article is in response to questions related to the ARRA funding. The federal program is known as the Neighborhood Stabilization Program, the Housing Economic Recovery Ownership (HERO) program. It provides down payment assistance and rehabilitation assistance for first-time home buyers. The program is being implemented by the Community Development Commission. To date, 22 participants are in the loan process and two loans have been funded.

Commissioner Porter expressed concerns about the impact on residents of our housing programs and the Housing Authority's budget now that funding for the Cal-Works and Healthy Families program is ending. He inquired on the method used to monitor residents that are having difficulty paying their rents. He asked if the Housing Authority is being reactive or proactive given the current economic climate.

Mr. Rogan stated that we are waiting for details on the budget and expects them shortly. The Commission will be prepared with an action plan to respond accordingly. Section 8 tenants, landlords, and the Housing Authority collaborate to ensure that payments are made and intervention occurs when necessary. The Housing Authority is waiting to determine the impact on public housing residents, and it's hopeful that Section 8 tenants will not be impacted.

Mr. Rogan stated that the Board of Supervisors strongly supports the Cal-Works program. The Board will hold a press conference today to talk about proposals for balancing the State budget and the impact on the County. The Housing Authority is being as proactive as possible.

Commissioner Gabriel requested the status of ARRA-funded projects. Mr. Rogan responded that a list of ARRA-funded projects has been provided

indicating the grant applications that have been submitted and projects that have been implemented.

Commissioner Aszkenazy thanked staff for the inspiring presentations.

On Motion by Commissioner Porter the Regular Meeting of July 22, 2009, was adjourned at 1:33 p.m.

Respectfully submitted,

for Bobette A. Glover
SEAN ROGAN
Executive Director
Secretary – Treasurer

NEWS ARTICLES

Academic Perspectives on the Future of Public Housing

A Hearing of the House Financial Services Subcommittee on Housing and Community Opportunity

On Wednesday, July 29th, the House Subcommittee on Housing and Community Opportunity conducted a hearing concerning researchers' views on issues influencing the future of public housing. The 9 person panel of witnesses included:

Prof. Thomas D. Boston

Georgia Institute of Technology

Hon. Orlando Cabrera

National Community Renaissance

Prof. James C. Fraser

Vanderbilt University

Prof. Edward G. Goetz

University of Minnesota

Prof. Laura Harris

University of Memphis

David R. Jones, Esq.

Community Service Society of New York

Prof. Mark L. Joseph

Case Western Reserve University

Dr. Susan J. Popkin

The Urban Institute

Summary of Testimony

Prof. Bacon

Prof. Bacon is an economist who has done longitudinal research on self sufficiency of assisted housing residents in Atlanta and more recently in Chicago. In response to one question from the committee, although Bacon was not familiar with the AHA's rescreening policies, he did report that, excluding elderly households, 21.4 percent of original public housing residents have returned to live in new mixed income developments and 60.7 percent used HCVs for housing assistance. Based on focus group interviews, Bacon found that most families who continue to use HCVs do so by choice and that mixed income revitalization did not cause families to lose housing assistance. Outcomes Bacon reported from Atlanta's efforts included:

1. Families who relocated from public housing moved to much better neighborhoods.
2. The employment rate of work eligible adults increased from 21 percent to 53 percent.
3. Children who lived in traditional public housing scored in the 29th

percentile on national achievement tests, children whose families used HCVs scored in the 35th percentile, and children who lived in mixed income housing scored in the 43rd percentile.

4. Violent crime was highly correlated with poverty rates and but not significantly correlated with the proportion of families in a census tract using HCVs.
5. The benefit to cost ratio for Atlanta's investment in mixed income community development was 1.6 to 1 and produced \$123 million in net social benefits.

Hon. Orlando Cabrera

The former HUD Assistant Secretary for Public and Indian Housing characterized the program as at a crossroad for the past decade. Cabrera advocated building on operational improvements underway during that decade including the HOPE VI approach to revitalizing aging properties and the MTW approach to local flexibility and responsiveness. Cabrera discussed the need for public housing to be an integral element in multifamily and affordable housing and the importance of both the program and its federal and local sponsors remaining current with the technology that supports their business operations. He advocated for the expansion, not just of public housing, but of affordable housing to meet unmet needs and the importance of using complex assortments of tools for that expansion.

Prof. James Fraser

In identifying lessons learned from HOPE VI, Fraser pointed out that the program addressed both place based goals concerning neighborhood revitalization and housing quality and people based goals concerning self sufficiency and well being. Fraser also distinguished the people based impacts on families qualified to move back into revitalized mixed income communities and those not qualified to do so. The program has succeeded in replacing distressed public housing properties with quality housing that satisfied residents, neighbors and the broader community. However, outcomes concerning neighborhood revitalization and household self sufficiency and well being have been largely unrealized. Fraser attributed this lack of success to HAs capacities to engage broad coalitions of neighborhood and service organizations to achieve those goals.

Based on his research, Fraser suggested policy changes including:

1. Open the application process to community based organizations or collaborations to enhance the likelihood of service providers become engaged in the HOPE VI project.
2. Sites approved for HOPE VI projects should already have an extensive collaborative network in place and operating.
3. Governance and management of projects should include significant stakeholder voice in project implementation.

See "academic perspectives," continued on page 10

...“academic perspectives”

Continued from page 3

4. Ongoing monitoring and evaluation of grants should extend beyond the often rudimentary evaluation at the project's conclusion.
5. Flexibility in the use of funds during the life of the project will help to address new or changing local exigencies.
6. Projects must insure sustained community capacity as well as sustained funding streams necessary to continue initiatives started under HOPE VI funding.
7. Mixed income and mixed use communities must include mixtures of affordable and market rate homeownership and rental housing.
8. Communities should include mixed uses that offer employment and business opportunities and commercial development that serves families with limited access to transportation.

Prof. Goetz

Goetz reported research findings similar to Fraser's, and identified several reasons for the difference between physical and individual program outcomes. Most residents of HOPE VI properties do not return to the new revitalized mixed income communities, but relocatees usually did not move far from the original public housing site and tended to move to other disadvantaged or segregated neighborhoods. Goetz recommended that:

1. HUD halt further public housing demolition,
2. Limit forced resident displacement,
3. Include existing residents in revitalized neighborhoods,
4. Use HOPE VI lessons to produce new public housing,
5. Support voluntary relocation options for families wishing to move, and
6. Open HOPE VI opportunities to other forms of assisted housing.

Prof. Harris

Harris has collaborated in HOPE VI case management efforts in Memphis and spoke of the importance of connecting residents with health services, transportation, schools and youth programs. Her recommendations focused on effective case management, including the importance of using a strong independent intermediary, making efforts to sustain initiatives from the outset of projects, setting realistic goals and establishing local partnerships aimed at resident employment.

Mr. Jones

David Jones responded to questions concerning Section 3, characterizing the New York City HA's efforts as falling short of expectations. Jones concluded by citing reasons to support Section 3 reform legislation currently being developed by Rep. Nydia Velazquez (D-NY).

See "academic perspectives," continued on page 11

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...“academic perspectives”

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Prof. Joseph

Joseph has assessed satisfaction with HOPE VI developments in Chicago among public housing residents and other residents of mixed income developments. He has found fairly uniform satisfaction with the improvements to the physical environment, but mixed outcomes on other dimensions such as emotional health and stress. Based on his research, Joseph recommended including several policy elements in the design of Choice Neighborhoods, a replacement for HOPE VI being developed by HUD.

1. Screening for admission to mixed income developments is necessary but should screen out only residents who cause problems for everyone and screen in as many former public housing residents as possible to take advantage of new opportunities.
2. Quality property management is critical to success but must not treat different resident groups differently.
3. Sustained supportive and social services are central to changing public housing residents' economic circumstances.
4. Assisted housing must be integrated in and indistinguishable from other market rate housing.
5. The diversity in mixed income communities demands explicit attention to resident engagement and community building.
6. Governance and decision making must extend beyond condo associations that generally exclude renters.

7. Projects must facilitate development of neighborhood amenities surrounding mixed income projects.

Dr. Popkin

Popkin has participated in research concerning outcomes at 5 HOPE VI sites across the country and more recently has studied the Chicago Case Management Demonstration. Although HOPE VI has changed public housing for the better, the program has not been a solution for the most vulnerable families. In particular, these families tended to relocate to other traditional public housing, reconcentrating sets of problems and potentially recreating the kinds of distress HOPE VI was designed to overcome.

The Case Management Demonstration has identified 3 classes of residents, striving households, aging distressed households, and high risk households. Each of these groups has required a case management approach tailored to their characteristics and needs. For example, the aging distressed households are likely to remain in public housing long term and require approaches such as assisted housing alternatives. Building on lessons learned from HOPE VI must overcome the mixed outcomes experienced by the most vulnerable original public housing residents who “had been most damaged by the distressed environment and were least able to cope with the challenges of relocation.” ■



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50TH ANNIVERSARY

House of Representatives to Consider the Section 8 Voucher Reform Act of 2009

House Financial Services Committee Improves the Housing Innovation Program Provision

On July 23rd, the full House Financial Services Committee completed its mark up of the Section 8 Voucher Reform Act of 2009 (H.R. 2045). The committee had considered amendments to the bill on July 7 and July 8, reported in the previous issue of the *Advocate*. In this last session of the mark up, the committee considered two amendments. In the interim, PHADA had sent a July 13th letter expressing its concern with the 2009 version of the Housing Innovation Program (HIP) to Chairman Barney Frank (D-MA), Chairwoman Maxine Waters (D-CA), Ranking Member Spencer Bachus (R-AL) and Ranking Member Shelly Moore Capito (R-WV). In that letter, PHADA expressed concern with the impact of changes in deductions from participants' annual income on HAs' rent revenue and pointed out 8 specific concerns with the version of HIP proposed in 2009:

1. Number of agencies: The bill did not establish a policy of moderate expansion of the number of innovation program participants.
2. Contract amendments: Amendments of an agency's Annual Contributions Contract included only the flexibility the department deemed necessary to accomplish innovations proposed in an agency's application.
3. Use of program funds: The bill required agencies to serve 98 percent rather than substantially the same number of the families an agency served in its base year.
4. Policy discontinuance: The bill allowed the department to require discontinuance of a policy innovation that caused "measurable harm to families."
5. Rent and continued occupancy: The bill only allowed alternative rent structures if the initiative was included in a national evaluation.
6. Retained provisions: The bill imposed 24 CFR 964 on HIP agencies by statute.
7. Treatment of IG findings: The bill required that existing MTW agencies correct IG findings of non-compliance in order to transition to HIP.
8. Base year: The bill reset current MTW agencies' base years from their existing base years to the year in which they become a HIP participant subsequent to enactment of SEVRA.

Because of these concerns, PHADA urged the committee to replace the proposed HIP provision with the provision the House of Representatives had approved in 2007 as part of the SEVRA bill reported to the Senate for consideration in that year.

In response to PHADA's letter and other expressions of concern from industry associations and HAs, the committee's staff engaged in extensive conversations concerning possible changes to the HIP provision, and a number of changes were included in a manager's amendment proposed by Chairwoman Maxine Waters at the mark up of July 23. Although the committee staff felt that many of the concerns raised by PHADA resulted from misunderstanding of the language in the provision proposed in the 2009 bill, the manager's amendment proposed changes that made

the 2009 version of HIP much closer to the provisions approved by the House in 2007. The changes proposed in the amendment include:

- Reintroduction of language that there may be up to 60 HIP agencies and an additional 20 so-called HIP lite agencies, language that instructs HUD to maintain the number of HIP participating agencies and deletion of the language that HIP is a demonstration program.
- Removed HUD's authority to discontinue HIP agency policies, reduced constraints in the program on time limits and work requirements, and increased the department's flexibility to waive provisions of the 1937 Housing Act.
- Removed a requirement for agencies to serve 98 percent of the families served prior to admission to HIP (language requires agencies to serve substantially the same number of families), removed 24 CFR Part 964 as a statutory requirement and inserted the 1937 Act sections governing resident councils and management relations, reinstated the older requirement that rent alternatives only require an HA to agree to participation in a national evaluation, and clarifies that existing MTW agencies' base years will remain the year prior to their original entry into the MTW program.

Although the current version of HIP may not be as attractive to HAs as the version included in the version adopted by the House of Representatives in 2007, PHADA is gratified that the committee staff responded to most of PHADA's concerns and addressed them productively in the manager's amendment considered during the July 23rd mark up.

In introducing the manager's amendment, Chairwoman Waters expressed her concern over the decline in the number of families served by existing MTW agencies resulting from time limits and work requirements. However, she viewed that proposed changes as striking a balance between low income tenant protections and program flexibility and she urged committee members to support the amendment.

Ranking Member Capito also spoke in support of the amendment which she believes emphasizes the positive elements of the MTW demonstration program. She emphasized that the amendment retained a specific number of agencies authorized for HIP, and that the provision will support innovations in the public housing and HCV programs with local flexibility. The bill will encourage local innovations and will not impose a federal one-size-fits-all approach.

Rep. Steve Driehaus (D-OH) spoke in support of the bill. He had concerns with the language originally proposed and had prepared an amendment to correct those matters of concern. However, with the manager's amendment, he did not offer his amendment.

Ranking Member Judy Biggert (R-IL) expressed support for the amendment as well. She noted that the DuPage HA has expressed interest in participating in HIP and she believes that the amended provision permits that agency entry to the program and offers the flexibility necessary to initiate local innovative approaches.

See "SEVRA," continued on page 12

...“SEVRA”

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Time Limit and Work Requirement Changes

As originally proposed, the HIP provision would have prohibited participating agencies from imposing time limits on the term of housing assistance unless a family had been gainfully employed for at least 3 years and had incomes of at least 150 percent of poverty. The amended provision requires that time limits not be shorter than 5 years and that enforcement of time limits be suspended when the local unemployment rate exceeds 10 percent. The amended HIP provision retains a prohibition on time limits for so-called HIP light agencies.

HIP originally prohibited participating agencies from imposing a work requirement unless participants could comply with the requirement with not more than 20 hours of work and/or participation in educational programs, that included hardship provisions, and that suspended enforcement reached an undefined level. The amendment changed these provisions so that work requirements must conform to the state's standards under Temporary Assistance for Needy Families, include hardship provisions and suspend enforcement when the local unemployment rate exceeds 10 percent. The amended provision retains a prohibition on work requirements for HIP light agencies.

Government Accountability Office (GAO) Report

Rep. Kevin McCarthy (R-CA) proposed an amendment to require the

GAO to prepare a report on the use of Housing Choice Vouchers in metropolitan Los Angeles. He expressed concern that a community such as Lancaster, CA has seen HCV use double.

Chairman Frank expressed support for the idea of such a GAO report but wanted to see that the report was nationwide rather than focused on a specific community. He asked McCarthy to withdraw his amendment and work with the Chairman to develop a provision that would conduct such a national report.

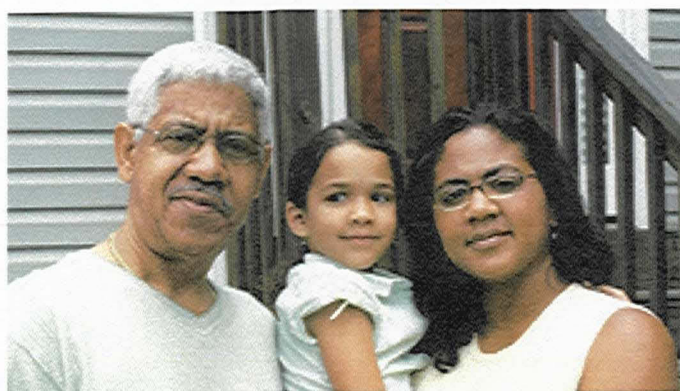
Rep. Melvin Watt (D-NC) joined Frank in asking for a broader report. Charlotte, NC, operating with one HA, has seen different communities in the metropolitan area impacted differentially by HCV utilization. A report that includes impacts in Charlotte would be helpful.

Rep. McCarthy agreed to withdraw his amendment so that GAO can prepare a national report on the impact of voucher use on communities.

Outcome

With work completed on all amendments, the House Financial Services Committee approved reporting SEVRA to the full House of Representatives on a vote of 41 to 24. Leadership of the House must now schedule SEVRA for consideration.

Although issues of concern to a number of different stakeholders with SEVRA remain, the leadership, members and staff of the House Financial Services Committee and of the Subcommittee on Housing and Community Opportunity have taken significant steps to improve the bill reported to the full House. ■



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1106

City to Appeal Housing Case

Observers Uncertain Whether Supreme Court Will Hear Lawsuit Involving Downtown Developer

BY ANNA SCOTT
STAFF WRITER

Los Angeles officials were dealt a blow last week in their effort to overturn a ruling that may impact affordable housing requirements in rental projects across the state. The move, not necessarily a surprise, is propelling what could be a last-ditch effort — an appeal to the California Supreme Court.

On July 22, a three-member panel of state Court of Appeal judges ruled in favor of developer Geoff Palmer, who in 2007 had sued the city over a mandate to include affordable housing in a City West project. On Aug. 12, the Appeal Court rejected a petition from City Attorney Carmen Trutanich's office to re-hear the case.

"The City will be asking the Supreme Court to review the decision because of the importance of the issues statewide and because the City believes the case was wrongly decided," a spokesman for Trutanich said in an email after the appeal was denied.

Palmer, known in Downtown for his Italian-style apartment projects in City West, sued the city to avoid having to include units for low-income tenants in his proposed 350-unit Piero II project. Palmer would have been required to build the apartments under an 18-year-old measure known as the Central City West Specific Plan.

The Specific Plan, essentially a set of development guidelines for the area just west of the 110 Freeway, requires that developers of large projects in the community either price a portion of the residences in new developments for low-income workers or pay for the city to build the housing elsewhere.

Palmer charged that the City West requirement violates a 1995 state rent control law known as the Costa-Hawkins Act, which gives landlords the right to determine rents for new or vacated units in their properties. A Superior Court judge ruled in Palmer's favor in December 2007. Last month's ruling, signed by Judge Steven C. Suzukawa, confirmed the decision.

If the Supreme Court decides not to take up the case, then the Court of Appeal decision would be final. That could put a major dent in Mayor Antonio Villaraigosa's plan to create a citywide affordable housing measure, known as the Mixed Income Ordinance, similar to the City West requirement. It could also be used to challenge low-income housing mandates in apartment projects statewide, say attorneys on both sides of the case.

Going Through the Motions

Trutanich's office filed a petition asking the Court of Appeal to reconsider its ruling on Aug. 6. That petition (a fairly standard request that is rarely granted, according to attorneys on both sides of the case) was denied six days later.

The city must file its Supreme Court petition by Aug. 31. The state's highest court would then have 90 days to grant or deny the review, the Trutanich spokesman said.

The Supreme Court receives thousands of petitions for review each year, said a court spokeswoman. The seven justices ultimately hear only a small percentage of those cases.

Whether the court will hear the case is far from certain, experts say.

The fact that the city lost in both Superior Court and the Court of Appeal does not necessarily bode well for its Supreme Court petition, said Daniel Gryczman, a land use attorney and an executive vice president at the developer-contractor Tri-Cal Construction, who is familiar with the City West Specific Plan.

"The Supreme Court more often takes cases where there's an ambiguity in a statute," which is sometimes reflected by dissent in the lower courts, Gryczman said. "In this case, what you have is very clear statutory language, and allegations that the language doesn't mean what it says it means. That, more traditionally, is a legislative issue, so the city is probably for elementary school students in Downtown.

LAUSD officials last week said there are no plans to open a new elementary school in Downtown. Although some local stakeholders are attempting to find a private or charter school for the area — something made more difficult by the recession — nothing has been achieved.

"I want Downtown to be a place where my kids can grow up in an urban area and enjoy the museums and architecture that comes with it, as well as feel a sense of community through the friendships that they form with their neighbors," said Benavidez, who has been living Downtown for two years and hopes to raise her 3 and 4-year old daughters here. "We're staying here. We're not going anywhere, so we're looking at all options."

More Families

The families are coming to Downtown.

According to a demographic study released this year by the Downtown Center Business Improvement District, 6.5% of area residents have children ages 5 or under. Another 13% plan to start a family within a few years.

Parents of high school students have the choice of the new arts school, the Miguel Contreras Learning Complex, the Edward R. Roybal Learning Center and several charter schools. However, the majority of Downtown parents whose children are approaching school age only have Ninth Street elementary as a nearby option.

It is an option many parents say they do not strongly consider.

"It serves a lot of homeless families living on Skid Row, so it creates a challenging situation. It's not as stable as a school that has a permanent base of parents. That's when schools change and improve," Rivera said, echoing a position of many in the community.

Having an elementary school option is critical to the future of Downtown families, said Carol Schatz, president of the BID.

"The number of children is growing and the question is once a child hits 4 or is ready for kindergarten, are those families leaving or are they staying?" she said.

Schatz said the BID recognized the need early on and began a search for a new school a few years ago. The BID sought to consult an establishment and, Schatz said, progressed to "seri-

ous discussions" with more than one private school operator.

"But when the economy went south all those plans were put to rest because private schools themselves were having difficulty just maintaining their enrollment," Schatz said. "The idea of expanding it simply wasn't economically feasible. It's something we are not giving up on, but it's very hard because of the economy."

For now the BID's plans are on hold, but others are in the works.

The Downtown Los Angeles Neighborhood Council's Education Committee, which previously focused on activities like book reading events for Skid Row children, has recently changed its focus to addressing the need for educational options for the growing number of families in Downtown.

"What we as a committee have done, along with parents, is reached out to charter school leaders, and charter schools have also come to us so we can learn more about their schools," said Danielle Duran, chair of DLANC's Education Committee.

"There should always be a diversity of choices for education for parents, and what parents are saying at these meetings is that they have limited choices with elementary schools, and private schools are very expensive," she said.

Charter Option

Ted Morris and Michelle Jasso received approval from the LAUSD to open two charter schools — an elementary and a middle school. Both were initially planned for the Boyle Heights area.

However, after having trouble finding a location, the middle school, Endeavor College Prep, will open in September serving grades 4 through 8, and will share space with an existing elementary school. Whether either will be a serious option for Downtown parents is unknown — the school is opening near Chinatown in a rundown industrial neighborhood.

After contacting Benavidez and attending DLANC's Education Committee meeting, Morris said he changed his focus for the other school, to be called Futuro College Preparatory Elementary, and is now considering Downtown. The charter institution would serve kindergarten through fifth grade students.

"We're looking anywhere where we can find space, but we are also looking for a space in Downtown for the elementary school and we're looking for a 2010 opening," Morris said.

Morris hopes to open the school with kindergarten and first grade classes, with about 130 students, then add a grade each year (as often happens in new charter schools), eventually reaching about 400 students in kindergarten through fifth grades.

Morris has met with Duran, Benavidez and other parents to give them information about his school. He has also had an introductory meeting with Councilwoman Jan Perry's office, whose Ninth District covers most of Downtown.

"We're in the early steps, still pounding the pavement, working with brokers to find a location," he said.

Meanwhile, parents like Benavidez are not putting all their eggs in one basket. Benavidez has a spreadsheet with information on charter schools near USC, as well as magnet schools and other options.

"Next year, hopefully, if everything goes as planned, we can open up an elementary school in Downtown," she said. "But even if I find other options for my daughters, we still need to keep working on this. I'm sure five years down the line there'll be a school here."

The question is, will five years be too long for some Downtown families to wait?

Contact Richard Guzmán at richard@downtownnews.com.

Housing Affairs Letter Stories posted week of 6/13/09 - 6/19/09

Featured Story of the Week

(A FEATURED STORY OF THE WEEK) HOPE VI Successor Broadened

Public housing authorities (PHAs) would have their exclusive control over replacing outmoded structures with innovative public housing diluted in the Obama administration's request to create a new program to replace HOPE VI. The new program, the Choice Neighborhoods Initiative (CNI), seeks \$250 million, about twice what Congress appropriated for HOPE VI in FY 2009.

HOPE VI has been on life support for several years. The Bush administration was unsuccessful in its attempt to scuttle the program it considered a \$500 billion white elephant because PHAs weren't spending the money quickly. Several administration attempts to starve HOPE VI were rejected by Congress, which appropriated just enough money each year to finance three or four projects and keep it alive.

CNI will take a different approach. PHAs will have to stand in line with community nonprofits, local governments and for-profit developers to get a piece of the action. The philosophy is part of the administration's blueprint to include low-income community groups in federal programs on a greater scale.

The FY 2010 budget blueprint shows CNI with a broad range of activities reaching beyond public housing transformation. Assisted housing development, purchase and renovation/replacement of unsubsidized privately-owned housing, and construction of mixed-income housing in strategic locations (transit hubs, abandoned neighborhoods, etc.) are part of the new approach.

The administration doesn't have an answer yet on how it will renovate or replace almost 80,000 public housing units badly in need of repair and shortchanged by the Bush White House policies. But HUD Secy. Shaun Donovan suggests lawmakers develop a modern HOPE VI in tandem with consideration of CNI.

Public housing advocates want HOPE VI to continue until all public housing stock is renovated or replaced. The Nat'l Assn. of Housing & Redevelopment Officials (NAHRO) calls for continued financing of HOPE VI in FY 2010 with at least a \$600 million appropriation.

06/19/2009 12:29 PM

HUD

(HUD) HUD Boosts Foreign Language Access

People seeking HUD services now will have access to 12 different languages, including Tagalog and Amharic. The enhancement was unveiled the same day a Cuban immigrant sued the Jacksonville Housing Authority (JHA), alleging a failure to provide an interpreter. She consequently lost her Sec. 8 voucher.

HUD will translate department documents into Arabic, Armenian, Cambodian, Chinese, Farsi (Persia/Iran), French, Korean, Portuguese, Spanish, and Vietnamese as well as the languages mentioned above -- Tagalog is a dialect spoken by about 22-million Philipinos, and Amharic is a dialect used in part of Ethiopia.

The revised language access is the initial effort by new Fair Housing & Equal Opportunity Asst. Secy. John Trasvina.

"When buying or renting a home, obtaining important housing information should not depend on how well people speak English," says Trasvina, adding applicants should have access to the department's programs "regardless of the language they speak."

The departure from the traditional requirement to speak and understand English occurred in the latter part of the Clinton administration under Executive Order 13166. The August 2000 order requires all federal, local and state agencies receiving federal money to ensure that people with limited language skills have adequate access to government programs and services.

HUD officials tell *HAL* the department contracts with a Monterey, CA-based telephone translation firm for \$20,000 a year and about 600 requests a year are anticipated. A *HAL* search of HUD independent contractors failed to turn up the firm named, Language Line Services, and HUD had no explanation for the lack of inclusion.

The revision results from increased conflict among a growing population of immigrants and refugees regarding translation of documents. A lawsuit filed by Mailin Soto, a 20-year-old single mother who lost her Sec. 8 voucher last year, highlights Trasvina's move.

Soto's voucher was revoked when she failed to report income from a new job within 10 days. Soto claims the JHA failed to help her understand the requirement when she signed the documents. JHA officials say Soto indeed understood the contract, and there were several housing authority employees who spoke Spanish, including the Sec. 8 director. A judge has denied Soto's request for a preliminary injunction to restore her voucher.

Info: HUD, 202/708-0980

06/19/2009 12:32 PM

PUBLIC HOUSING) Museum Slated For Public Housing

Public housing in the United States has been around long enough now to warrant its own museum. Chicago, with one of the largest public housing operations outside New York City, has decided that the museum will be located in that city, even though the first public housing generated by President Franklin Roosevelt's Public Works Admin.'s housing division was completed in New York City in 1936.

Chicago officials have singled out a building in a former public housing project to host the museum. The 70-year-old structure is the only remaining building of the Jane Addams Homes built during the Depression. It has been vacant since 2002.

Officials have raised \$1 million of the estimated \$17 million it will cost to renovate the building. The museum is scheduled to open in 2012.

06/19/2009 1:03 PM

Story of the Week

Sec. 8 Reform Clears House Panel

After almost two years of delay and some partisan bickering, reform of the Sec. 8 housing voucher program clears the House Financial Services Committee on a 41-24 vote and is sent to the House floor. But time constraints likely will force delay of a full House vote until after the congressional August recess.

The remaining barrier was cleared in 11th-hour negotiations between Democrats and Republicans regarding the public housing Moving to Work (MTW) program expansion. Housing subcommittee Chairwoman Maxine Waters (D-CA) pulls no punches in her dislike of the program, but she conceded to changes crafted largely by subcommittee ranking Republican Shelley Moore Capito (WV) to get the measure on a fast track.

The measure, HR 3045, the Sec. 8 Voucher Reform Act (SEVRA) would change the program's distribution formula as well as streamline its inspection and rent-setting procedures. The bill's objective is to ensure that tenants face no risk of losing their vouchers because of unexpected budget shortfalls.

HR 3045 would authorize 150,000 new vouchers to restore the program to previous assistance levels. Along with a simplification of the calculations governing tenant rent payments, changes in the housing inspection process and easing of the portable voucher rules, the measure gives greater flexibility to public housing authorities (PHAs) to preserve affordable housing by allowing them to make greater use of project-based vouchers.

MTW, which promotes easing of public housing tenants into self-sufficiency, would be renamed the Housing Innovation Program (HIP). About 30 PHAs now enjoy a significant relaxation of HUD's rules, such as blending subsidies to make ends meet, under the MTW program. HIP would add 30 PHAs to the mix, with the option of the HUD secretary allowing an additional 20 agencies into the program.

07/24/2009 12:06 PM

Fair Housing

(HOUSING BIAS) Fair Housing No Holds Barred

Rhode Island real estate officials are questioning what they consider hardball prosecution of an 87-year-old Cranston woman who wanted to rent her adjoining house to adults with no children or pets. The woman maintains she's too old to cope with young children in a house that shares a garage and driveway in close

proximity.

But HUD's Fair Housing & Equal Opportunity Office is unbowed. New Assistant Secy. John Travina says he is intent on penalizing two real estate agents and the homeowner because two families with children were denied the rental home of their choice.

The elderly woman and the agents each face a fine of up to \$16,000 for a first offense and the two families could claim compensation for damages.

07/24/2009 12:16 PM

VOUCHERS) PHA Cuts Vouchers For 300 Families

About 300 families served by the Birmingham Housing Authority (BHA) can't use their Sec. 8 housing vouchers. The families are forced to move as a result and the housing authority has placed them on a waiting list

BHA's move was prompted by a \$2 million cut in federal subsidies, and an effort by the agency since May, when the funding cut was applied, to cut rising costs fell short. The city's housing board has reduced Sec. 8 payments from 110% of fair market value to 90% and will begin raising rents as soon as a family's income increases rather than waiting for the lease renewal date.

BHA administers 4,500 Sec. 8 vouchers where rental costs have increased from an average \$585 each month to \$630 in one year.

07/24/2009 12:22 PM

Heard at HUD

(HUD TRANSFORMED) HUD Shakeup Looms

A significant changing of the guard is in the offing at HUD now that the last senior political appointee, Federal Housing Commissioner David Stevens, is ensconced in his position. The next step, anticipated soon, is the shift of third-level executives -- deputy assistant secretaries and assistants to deputy assistant secretaries -- in order to coalesce the executive tier to mesh with the administration's philosophy.

So far, some assistant secretaries have initiated moves to alert employees to expect changes. Sources tell *HAL* Assistant Secy. for Community Planning & Development Mercedes Marquez has issued a memo to her senior staff to resubmit their resumes. Staffers will have to prove that their talents and philosophies conform to the master plan HUD is developing.

Other assistant secretaries are expected to follow the same path, customary in many Cabinet departments when there is a change in administration and particularly when political party dominance shifts.

The Federal Housing Admin. (FHA) didn't wait until Stevens received the confirmation nod from the Senate and was sworn in. Two senior FHA employees – one with 37 years of expertise – were hustled out of the agency. One was exiled to HUD's Baltimore office while the other wiles away the time in HUD's headquarters catacombs waiting for her next assignment.

Meanwhile, HUD is on the threshold of taking the wraps off its new Office of Transformation Planning & Management, which will be the department's all-seeing eye on operations. The office, with an initial workforce of about 20, will be unveiled officially with companion offices at most Cabinet departments at one time. Sources say the announcement likely will be in August, while Congress is in recess.

Work continues behind the scenes on changes. Sources say HUD directors are meeting in Chicago, away from the national media hub and queries, to craft a final plan.

One item planners are eyeing for change is the multifamily 2530 program. Called the Previous Participation Program (PPP), 2530 is a check on landlords seeking HUD contracts for Sec. 8 subsidized tenants. The PPP collects data on all landlord finances, administrative abilities and obligations, but it has been snarled by electronic submission glitches and HUD is deciding whether to retain or scrap it.

Officially, HUD does not provide details. In response to a *HAL* query, HUD replied, "In order to improve and make the process more efficient, the department is currently reviewing the "2530" process. At this time, the department has made no determinations regarding changes or elimination of the process."

07/23/2009 4:22 PM

Housing Affairs Letter Stories posted week of 7/25/09 - 7/31/09

Construction

(HEALTHY HOMES) Chinese Drywall Issue Mounts

A group of senators is weighing in on the increasing problem of Chinese-manufactured drywall containing elevated levels of strontium sulfide, as well as several organic compounds linked with the production of acrylic paint. There are concerns that the drywall could be radioactive.

The drywall debacle was first noticed in Florida. The Consumer Products Safety has since received 681 complaints from residents of 22 states, including 510 complaints from Florida. The reports complain that drywall fumes –produce a rotten eggs odor that permeates their homes and causes metal, including air conditioning coils, and jewelry to corrode.

Complaints also allege eye irritation, sinus problems and respiratory symptoms among residents in houses containing the drywall.

An investigation of Chinese drywall manufacturers disclosed some use phosphogypsum to manufacture the product. Phosphogypsum is a radioactive phosphorus substance and has been banned in United States construction since 1989.

The debacle prompted Sen. Bill Nelson (D-FL) to write the White House, asking the Obama administration to take a more active role in combating the issue. "What urgently is needed now is White House mobilization and coordination of all federal resources that can help homeowners," Nelson wrote.

Three other senators joined Nelson in writing to other federal agencies. Sens. Mary Landrieu (D-LA), Mark Warner (D-VA) and Jim Webb (D-VA), in letters to HUD and the Treasury Dept., ask for financial relief for homeowners who have been forced from their houses and must pay both rent and mortgage payments.

In a separate letter to the Small Business Admin., the senators ask the agency to explore whether governors in affected states can impose a physical disaster declaration and they ask if disaster relief loans could be made available to drywall victims.

07/31/2009 11:54 AM

(WHISPERS) Special 'Czars' Multiply Quickly At HUD

Initially, there was one "special advisor" to HUD Secy. Shaun Donovan. William Apgar was tapped to advise Donovan on mortgage finance notwithstanding the existing talent available in the department able to provide the same advice. Thus Apgar immediately was dubbed a czar because he does not require Senate confirmation while being superior to assistant secretaries who must undergo confirmation rigors (See *HAL*, Issue 09-28).

Then Donovan selected another Harvard grad (Donovan and Apgar, like their boss President Barack Obama, are from the same Harvard circles), Barbara Sard, to supervise rental housing, which means she will be in charge of the vast Sec. 8 housing voucher program even though there is a Senate-confirmed assistant secretary in charge of Sec. 8.

Not to be outdone, Deputy Secy. Ron Sims is surrounding himself with specialty czars, many tapped from his former office as King County, WA chief executive.

Shelley Poticha will be the sustainable housing and communities specialty czar reporting to Sims. Poticha is CEO of Reconstructing America and co-chair of Transportation for America. She is expected to head a new HUD Office of Sustainable Housing & Communities when legislation crafted by the department and pushed by Senate Banking Chairman Christopher Dodd (D-CT) clears Congress.

Anticipating passage, the Obama administration included first-year funding in its FY 2010 budget request. The new office would oversee a \$150 million sustainable communities fund and a \$100 million energy innovation fund.

Sims decided to install three of his King County employees in HUD's 10th floor executive inner-sanctum as well. Maura Brueger, Sims senior advisor for federal relations, becomes his chief of staff.

James Lopez, is Sims' senior advisor for sustainability issues and was his director of Strategic Planning & Performance Management in King County. Sims also tapped his former press aide, Cindy Cawaling, to be his scheduler.

07/31/2009 12:09 PM

Public Housing

(ASSISTED HOUSING) PHAs In Sec. 8 Voucher Crunch

An increasing number of public housing authorities (PHAs) are canceling Sec. 8 housing vouchers now held by tenants, forcing them out of their rental units because of a growing financial crunch. Sources tell *HAL* that HUD officials scrambled for a solution and finally decided to tap a \$100 million rainy-day fund to salvage the vouchers .

The Omaha (NE) Housing Authority becomes one of the largest PHAs to pull back vouchers. Facing a \$1.6 million deficit, the PHA was about to shut off about 430 vouchers by September. Another 2,000 households would have been required to pay up to \$150 a month extra in rent to close the deficit. But HUD informed the PHA that a rescue is forthcoming.

Public housing industry advocates tell *HAL* that the Sec. 8 fund has run dry. Meanwhile, Congress begins recapturing Sec. 8 money unspent by other PHAs, but the recaptured money can't be used to subsidize agencies experiencing the crunch.

Other factors in the crunch include depletion of FY 2009 appropriations, fallout

from the continuing recession, and inability to handle the deficit through attrition of voucher recipients because the number of applicants is growing.

07/31/2009 11:49 AM

COMMUNITY AND ECONOMIC DEVELOPMENT

COMMUNITY DEVELOPMENT

Disaster Housing Needs Require Coordinated, Aggressive Response, FEMA Administrator Tells Panel

Housing needs in the aftermath of a major natural disaster require a coordinated, aggressive response by federal, state, and local agencies, volunteer organizations, and the private sector, according to Federal Emergency Management Agency (FEMA) Administrator Craig Fugate.

Fugate discussed disaster housing issues at a July 8 hearing of the House Homeland Security Committee.

While FEMA can bring "an enormous number of financial and material resources to bear," Fugate told the committee, it can't handle disaster housing problems alone.

"Only by working together, and leveraging all of our respective strengths and capabilities, can we achieve the kind of timely and comprehensive housing response that disaster survivors need and that our nation has come to expect," he said.

Disaster Housing Strategy

The National Disaster Housing Strategy released by FEMA in January established the National Disaster Housing Task Force to bring together key stakeholders, and it also called for the establishment of state-led housing task forces. (*For background, see Current Developments, Vol. 37, No. CD-4, p. 110.*)

Organizational meetings of the national task force were held in April and May, and Fugate said drafts of an implementation plan, concept of operations, task force charter, and organization chart, as well as guidance for the state task forces, are now being reviewed by the partner agencies.

"Next steps for the task force include finalizing these documents and continuing outreach activities and coordination to identify resources and gaps in the disaster housing arena," Fugate told the committee. "We will continue to keep you updated on these efforts."

Temporary Housing

Under the Stafford Act, FEMA can provide temporary housing assistance to disaster victims for up to 18 months, unless the President determines that extraordinary conditions warrant an extension.

FEMA considers existing rental housing to be the preferred temporary housing solution, Fugate said, employing temporary housing units only as a last resort when existing housing resources have been destroyed, rendered uninhabitable, or exhausted. That was the situation, he noted, after Hurricanes Katrina, Rita, and Ike.

To prepare for such eventualities, Fugate added, FEMA maintains an inventory of various types of temporary

housing units at several storage locations around the country, including manufactured housing, park models, and travel trailers.

Travel Trailers

FEMA's deployment of travel trailers after the 2005 Gulf hurricanes became a controversial issue when elevated levels of formaldehyde were found. Fugate told the committee that the agency has developed new, more rigorous specifications for travel trailers, awarding four contracts in April for the manufacture of trailers with low emissions and improved air exchange.

FEMA is also looking into new forms of alternative temporary housing, Fugate said. The agency has awarded a competitive contract for seven different models, he said, and prototypes are being tested at FEMA's National Emergency Training Center in Emmitsburg, Md.

In addition, Alabama, Mississippi, Louisiana, and Texas received grants for the development of disaster housing under a \$400 million pilot program established by Congress in 2006.

"We look forward to fully assessing these pilot projects, and anticipate that they will provide valuable housing lessons for application in future disasters," Fugate said.

Housing Solutions

Reilly Morse, a senior attorney in the Katrina Recovery Office of the Mississippi Center for Justice, endorsed FEMA's plans to provide assistance to repair existing rental housing so as many tenants as possible can return to their pre-disaster locations.

However, Morse said the agency should look to options other than travel trailers when available rental housing is destroyed. He said the cottages developed under the pilot program in Mississippi were larger, stronger, and more livable than FEMA trailers.

Nevertheless, Morse noted, some communities have banned or severely restricted the permanent placement of the cottages because they were towed in on axles.

"The axle fixation demonstrates how local perceptions on relatively small details can alter the fate of a proposed housing solution," Morse said. "It also demonstrates the importance of clear legal and engineering classifications to overcome objections to the conversion to permanent use of any FEMA interim housing program."

PUBLIC HOUSING

House Housing Panel Hearing Considers Resident Employment

HUD is committed to more aggressive outreach to advise grant recipients of their obligations under Section 3 of the Housing and Urban Development Act of 1968 to employ low-income workers in public housing and other

construction projects, said John D. Trasvina, HUD assistant secretary for fair housing, at a July 20 House housing subcommittee field hearing in New York City.

The hearing gathered comments on legislation drafted by Rep. Nydia Velazquez (D-N.Y.) which would modify Section 3 requirements and authorize a pilot job training program in home health care services for public housing residents. Workers in the program would provide services to Medicaid-eligible seniors and disabled persons, including residents of public housing.

Sandra Henriquez, assistant secretary for public and Indian housing, told the subcommittee that HUD supports the proposed pilot job training program, which would provide health care services to residents in public housing and some assisted housing. Henriquez said that eligible recipients of the pilot training program should be expanded to include Section 8 voucher holders in addition to public housing residents.

Henriquez also said that by using the existing public housing service coordinator model, the pilot home health care program could allow joint applications that make use of existing programs and services. Henriquez recommended that the state Medicaid program should be a partner in the pilot program since it would provide services to public housing residents who have limited incomes.

Compliance Funding

The subcommittee also heard from John B. Rhea, chairman of the New York City Housing Authority (NYCHA), who said that housing authorities need funding to carry out Section 3 compliance.

Rhea said that the Velazquez bill's requirement that low-income workers account for 30 percent of new hires and 30 percent of hours worked would be difficult for PHAs to meet. He said the total hours worked should be dropped from the draft bill and instead be the subject of negotiation with contractors.

Currently, Section 3 requires certain HUD-funded projects to give preference to low- and very-low-income persons or businesses that employ or are owned by them and that 30 percent of new hires be Section 3 covered persons.

Rhea also said that PHAs should not have their funding reduced for not meeting the 30 percent new hires goal. Rhea said that sanctions should instead be directed at contractors and unions that are unwilling to participate in Section 3 programs. Rhea detailed NYCHA Section 3 contracting requirements and other employment programs which he said go beyond the Section 3 mandate. He said that 25 percent of the NYCHA full-time workforce consists of public housing residents.

Compliance Rate

In his testimony, Trasvina said that more than 5,000 direct recipients of HUD funds totaling about \$12.1 billion each year are required to comply with Section 3. Section 3 covered agencies are required to submit annual reports, but prior to 2006, HUD received Section 3 reports from only about 4 percent of covered recipients. Since that time, HUD has taken steps to improve reporting, which has increased to 25 percent.

Trasvina said that in 80 percent of the reports submitted, the recipient failed to meet the minimum goals and did not include valid explanations for its failure. Trasvina said that HUD has taken steps to increase Section 3 training, technical assistance, and outreach.

Trasvina agreed with the subcommittee that "a more robust Section 3 program at HUD is necessary to foster more economic opportunity for low-income persons." Trasvina said HUD will work with any entity that is in noncompliance to achieve an informal resolution before taking more aggressive action. He also said that HUD is exploring the full range of sanctions that are available to address those entities that still fail to comply.

ECONOMIC DEVELOPMENT

CDFI Fund Appropriation Bill Has \$80 Million for Capital Magnet Fund

The House passed a fiscal 2010 financial services appropriations bill (H.R. 3170) July 16 that includes \$243.6 million for the Community Development Financial Institutions (CDFI) Fund, as requested by the Obama Administration. The vote on the bill was 219-208.

The money for the CDFI Fund includes the \$80 million sought by the Administration to begin operations for the capital magnet fund established by the Housing and Economic Recovery Act of 2008 (HERA).

The capital magnet fund will provide competitive grants to CDFIs and nonprofit organizations to attract private investment funds for the development, preservation, rehabilitation, and acquisition of affordable housing, along with related economic development activities.

Like the national affordable housing trust fund, the capital magnet fund was supposed to be capitalized by funds from Fannie Mae and Freddie Mac, but that funding has been suspended.

Under the leveraging requirement in HERA, each capital magnet fund grant must support projects with a cost of at least 10 times the amount of the grant. The appropriations bill would allow the secretary of the treasury to establish a different leveraging standard.

Other Provisions

The appropriation for the CDFI Fund also includes \$10 million for Native American initiatives, \$22 million for the bank enterprise award (BEA) program, and \$1 million for a pilot financial counseling grants program.

The bill also provides up to \$18 million for CDFI Fund administrative expenses, including the cost of administering the New Markets tax credit (NMTC) program.

In addition, it includes up to \$7.5 million to cover the cost of up to \$16 million in direct loans.

COMMUNITY DEVELOPMENT

Obama Calls for "Bold Vision" to Bring Opportunities to Metro Areas

President Obama outlined the next steps in the development of his urban agenda at a July 13 policy roundtable,

ASSISTED HOUSING

Refusal to Accept Security Deposit Guarantee Constitutes Discrimination

A landlord discriminated against a prospective tenant when he refused to accept a security deposit guarantee from a social services agency in lieu of cash, ruled the Connecticut Superior Court. (*Commission on Human Rights and Opportunities v. Forvil*, HBR1007639, 2009 WL 19592639 (Conn. Super.), June 3, 2009)

The prospective tenant, identified in the court ruling as Arnold, toured an apartment owned by Jean Forvil and told the owner she had a security deposit guarantee. The landlord reviewed Arnold's paperwork and told her he would accept the guarantee.

Arnold and Forvil signed the paperwork, which Arnold brought to the social services agency within a day and obtained necessary approvals.

When Arnold and her children arrived to move in several weeks later, the landlord denied her access, saying she needed the security deposit in cash. Arnold filed a complaint with the Commission on Human Rights and Opportunities (CHRO), which found reasonable cause for the attorney general to bring a complaint to superior court.

Arnold alleged discrimination based on a legal source of income, in violation of Connecticut General Statutes Section 46a-64c, and sought compensatory and punitive damages or a civil penalty.

Source of Income

Under state law, a discriminatory practice includes denying a dwelling to any person because of a lawful source of income, which includes income derived from Social Security, Supplemental Security Income, housing assistance, or public or state-administered general assistance.

Arnold claimed that Forvil discriminated against her because he would not accept a security deposit guaranteed by the Department of Social Services as housing assistance. Forvil said that he rejected Arnold because the security deposit guarantee was not a legal source of income.

The court held that the evidence sustained Arnold's position and concluded that the defendant failed to carry his burden in establishing special defenses.

Court Ruling

The court said it was not persuaded that the statute is unconstitutionally vague because it does not state that a security deposit guarantee is a legal source of income. Similarly, the court said it was not swayed by the landlord's argument that a security deposit is not income or money.

The court said that Webster's Dictionary defines income as a gain or recurrent benefit and noted that the security deposit guarantee was clearly a benefit for Arnold.

In addition, the court said, the statute does not use the word "money," but "source of income," and the legislature has had ample time to make any changes. The statute is clear, and the cases interpreting it are consistent in describing the standards landlords must follow when rent-

ing to prospective tenants, the court added, concluding that Forvil failed to meet those standards.

Disparate Treatment

The court said it also used cases interpreting federal fair housing laws to analyze housing discrimination claims under the state scheme. The court analyzed this case using the standard of disparate treatment, where the defendant treats a plaintiff less favorably than others because of a protected trait.

The court found that Arnold established a prima facie case: she was a recipient of a security deposit guarantee (which made her part of a protected class under the state statute); she applied for and was qualified to rent the apartment; she suffered an adverse action when Forvil refused to let her and her family enter the apartment; and the action gave rise to an inference of discrimination.

Once the court found that Arnold established a prima facie case, the burden shifted to the defendant to show he did not discriminate against Arnold. Forvil admitted he rejected Arnold because she had a security deposit guarantee, and his attorney insisted that Forvil would have accepted Arnold if she had cash for the deposit.

Forvil claimed that any action on his part was a misunderstanding, but the court said that any claim of ignorance of the law was no defense. "A mistake of law cannot exonerate one who has an intention to do that which the law prohibits," said the court. The defendant also contended that he couldn't have discriminated against Arnold because they were the same race and approximately the same social status.

The court rejected this argument, holding that a person owning rental property and a homeless person living in a shelter do not have the same social status. Forvil's actions clearly were discriminatory, the court said, adding that simply to say one does not dislike members of the protected group is not a defense to an action alleging discrimination.

The court ruled that Arnold was entitled to both compensatory and punitive damages, which it would assess after further evidence by the parties.

SECTION 8 *

Voucher Reinstated to Allow Resolution of Due Process Claim

The U.S. District Court for the Eastern District of Tennessee temporarily reinstated a Section 8 housing voucher pending resolution of a tenant's allegations that the housing authority denied her due process in terminating her assistance. (*Young v. Maryville Housing Authority*, No. 3:09-CV-37, 2009 WL 2043891 (E.D.Tenn.), July 2, 2009)

The Maryville Housing Authority (MHA) terminated Rebecca Young's voucher because it believed she physically fought with the current wife of the father of one of her two children.

Young alleged violations of constitutional protections and regulations governing the termination process and sought a temporary injunction to reinstate her voucher until the matter goes to trial. MHA opposed Young's mo-

tion, alleging that she does not meet any criteria for injunctive relief.

Young admitted that she had an altercation with Ashley Paez, the current wife of the father of her older child, but claimed her actions were in self-defense. The policeman on the scene described Young as the aggressor in the incident and charged her with simple assault and criminal trespass. The charges eventually were dismissed.

Termination Notice

The MHA issued a notice of termination, Young requested a hearing to appeal the termination, but the hearing officer relied on the version of the incident described in the police report, and the MHA terminated her voucher.

Analyzing Young's motion, the court said it would consider whether she has a strong likelihood of success on the merits, whether she would suffer irreparable injury without the injunction, whether issuance of the injunction would cause substantial harm to others, and whether the public interest would be served by the injunction.

Noting inconsistent and conflicting judicial opinions about what constitutes likelihood of success on the merits, the court applied a "substantial likelihood" standard, meaning that Young must establish a prima facie case without requiring an unduly high likelihood of success at trial. Under that standard, the court agreed that Young has a substantial likelihood of successfully proving a number of deficiencies in the termination process.

The court found that the MHA's notice to Young informed her that her termination could be based on any of three broad categories of misbehavior: violent crime, drug-related crime, or crime near her residence. Although courts have allowed some leniency in stating the reason for the termination, the court said a notice "that merely parrots the broad language of applicable regulations is insufficient."

The notice did not give any specific details about the incident that led to the termination, and the court said that such failure fell below the statutory threshold of notice. The court agreed with Young that the MHA failed to give her proper notice of the basis for terminating her Section 8 benefits.

Grounds for Termination

After reviewing the federal regulatory grounds for termination, the court found that Young's behavior did not interfere with other residents, did not take place in the immediate vicinity of the premises, and did not involve illegal drugs. The only remaining ground for termination is "violent criminal activity." Under HUD regulations, "violent criminal activity" involves serious bodily injury. Young was charged with assault under Tennessee law, which does not include "serious bodily injury" (the description of aggravated assault under state law).

The court said that the absence of the element of serious bodily injury "substantially undermines the MHA's decision," which relied exclusively on the police report. Accordingly, the court held that an essential element of the violent crime was never established. The court found that Young has a substantial likelihood of being successful on her allegation that the MHA denied her due pro-

cess of law by terminating her voucher based on activity that was not prohibited.

The court also found that Young did not have the opportunity to cross-examine the police officer or Paez, whose statements the officer relied on when he prepared the report. Therefore, the court said, Young has a substantial likelihood of successfully proving the merits of her allegations that she was denied due process by being unable to cross-examine witnesses.

The court also found that Young had a substantial likelihood of success on the merits because the MHA's decision was not based on the preponderance of evidence, as required by federal statute.

Irreparable Harm

Regarding irreparable harm, the court said Young's circumstances were complicated by temporary financial assistance from her parents and her current landlord's forbearance, pending the outcome of this litigation. However, the court added, the facts demonstrated that Young did not have sufficient financial means to pay her rent without housing assistance, and if the termination is upheld, she and her children will suffer the irreparable harm of homelessness.

Although the MHA is suffering from budget constraints and the waiting list for housing assistance is long, the court weighed the possible due process violations by the MHA and Young's rights against the burden of temporarily reinstating her benefits and found that granting injunctive relief would not result in substantial harm to others.

Finally, the court concluded that the public interest would be served by issuing the injunction because it would protect Young and her two young children from imminent danger of eviction and homelessness.

Accordingly, the court reinstated Young's Section 8 voucher pending final resolution of the matter.

PUBLIC HOUSING

Tenant's Invited Guest Can't Be Convicted of Criminal Trespass

A person who passes through the common areas of an apartment building owned by a public housing authority at the legitimate invitation of a tenant cannot be convicted of criminal trespass, ruled the Massachusetts Appeals Court, Suffolk. (*Commonwealth v. Nelson*, No. 08-P-1020, 2009 WL 1929316 (Mass.App.Ct.), July 8, 2009)

Defendant Gregory Nelson was arrested at the Old Colony housing development and warned not to return to Boston Housing Authority (BHA) property. About seven months later, Nelson returned at the invitation of Erica McCall, who lived at Old Colony. McCall did not know that Nelson was forbidden to enter the premises. Nelson and several friends waited in the lobby for McCall, who went directly to her apartment. Police patrolling the area recognized Nelson waiting in the lobby for McCall and arrested him for criminal trespass.

At trial, the judge found that McCall had invited Nelson

to the premises, but convicted him of trespass on the ground that the BHA had previously ordered him to stay away.

Court Ruling

Citing *Commonwealth v. Richardson*, 48 N.E.2d 678 (1983), the court noted that residential tenants have a right to permit visitors to pass through the common areas of a building to approach their apartments.

"If a person passes through the halls of a residential apartment building at the legitimate invitation of a tenant," the court said, "he cannot be convicted of criminal trespass." The court saw no reason that Richardson should not apply to properties owned by the BHA.

Although Richardson involved a private landlord, the court said that its reasoning did not depend on the identity of the landlord, but on the nature of a residential tenancy.

The BHA police department's trespass policy states that a resident has the right to invite any individual not barred by a restraining order as a guest.

If a resident invites an individual served with a No Trespass Notice, the policy says that individual has a lawful reason to cross the common areas of BHA property solely to enter and exit the resident's apartment.

Public Housing Lease

Further, the BHA public housing lease acknowledges that residents can have guests in their apartments. Guests must be able to pass through public areas to reach residents' apartments, the court said, or that provision would be meaningless.

The court agreed with Nelson that Richardson applied to guests of tenants in public housing properties. Therefore, the court concluded, a conviction for trespass cannot stand against a defendant who was passing through the halls to reach a tenant's residence, when she invited him to visit.

The court said there was no evidence that Nelson had lingered or loitered in the public hallway.

The court emphasized that Richardson provides a defense to a charge of criminal trespass only for defendants in the common areas of an apartment building at the invitation of a tenant and within the scope of that invitation. "It does not divest the landlord of 'lawful control' of the common areas," the court said.

The court reversed the criminal trespass judgment against Nelson.

Courts in Brief

The U.S. District Court for the District of Maryland refused to dismiss a complaint filed by the city of Baltimore against Wells Fargo Bank alleging violation of the Fair Housing Act. (*Mayor and City Council of Baltimore v. Wells Fargo Bank, N.A.*, Civil No. L-08-62, 2009 WL 1916240 (D.Md.), July 2, 2009)

The city alleged that Wells Fargo targeted black neighborhoods for predatory residential mortgages and that it was harmed indirectly because many of the loans were foreclosed, resulting in vacant properties and reduced property tax revenues.

The court held that the facts supporting the city's claim of standing are sufficiently plausible to permit the case to proceed to merits discovery.

The U.S. District Court for the Southern District of Florida, Miami Division, dismissed home buyers' claim for violation of the good-faith estimate requirements of the Real Estate Settlement Procedures Act (RESPA), 12 U.S.C. Section 2604(c), because there is no private right of action under that subsection or the related regulations. (*Laine v. Equifirst Mortgage Corp.*, No. 08-61981-CIV, 2009 WL 2043582 (S.D.Fla.), July 9, 2009)

The court also found that the plaintiffs failed to state a claim for violation of Section 2605, which deals with the transfer of servicing, because there was no allegation that they were damaged by any post-closing assignment of servicing.

The New York Supreme Court, Appellate Division, First Department, vacated the termination of a public housing tenancy by the New York City Housing Authority (NYCHA) for failure to report household income, remanding the case to the authority for imposition of a lesser penalty. (*Tucker v. New York City Housing Authority*, 2009 WL 2015541 (N.Y.A.D. 1 Dept.), July 14, 2009)

The NYCHA's determination that the tenant violated its rules by failing to report income was supported by substantial evidence, the court said. The court added, however, that the tenant's documented mental illness, while not excusing her actions, "has great bearing on the appropriateness of the penalty."

POOR RESIDENTS CARS TOWED FROM LA COUNTY PUBLIC HOUSING COMPLEX IN LONG BEACH

By Ray Fox

Former LA County Housing Commissioner

LONG BEACH, CA - When over 50 residents of the Carmelitos Housing Development prepared to go to work or take their children to school on last Monday, they had to walk, use public transportation or stay home.

Nearly 50 cars were towed on Sunday, July 26, 2009.

Long Beach Police was instructed by management of the Carmelitos Housing Development to remove unauthorized cars from parking lots that did not have parking stickers.

Long Beach Police blocked exits and would not allow residents to move their cars and park on the street.

A caravan of Long Beach City and private tow trucks started the heart-breaking task of towing about 50 cars from the 565 family unit complex from the 800 to 1100 block of Via Wanda Street, all makes and models was headed to the tow yard.

Residents had to pay hundreds of dollars to recover their vehicles and be ready for work or school on Monday. According to some residents who were able to recover their vehicle the same day, the cost was about \$136. Those who did not have the money will be charged more with each day their vehicle is impounded, and some may be sold after 30 days.

Ms. Latina Poole, a resident of Carmelitos, whose car was not working. Ms. Poole was using a friend's car and parked it in the parking lot in front of her unit. Ms. Poole noticed the activity and got the keys to park her friend's car on the street. As she left her unit, she encountered an officer by the car. She asked the officer if she could park the vehicle on the street. Ms. Poole explain to the police officer that her car, which has an authorized parking permit, was not working. Her car was about two cars over. She informed the officer it was a friend's car she was using. Moreover, would he allow her to move it? Ms. Poole stated, "The officer said no. He was going to have it towed." There was not a tow truck in the parking lot at this time.

Residents have complained for years about the parking policy. In many of the parking areas, the signs mandated by Long Beach Municipal Code 22658 are not even present. Others you cannot see, unless you are leaving out of the parking areas. Trees block some and others are located in the back of the parking lots.

Carmelitos Housing Development Residents are requesting city and county officials to call a meeting to address the bad management practices of the Los Angeles County Community Development Commission/Housing Authority.



Top photo: Mrs. Latina Poole explaining to Long Beach Police officer for her to move her friend's car to the street. According to reports, the officer refused and had the vehicle towed.



Above photo: Carmelitos Housing disadvantaged resident had to go in the street because development is not accessible for disabled residents.

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Around Town with Kim Webster

Mrs. Viola Norman Celebrates 97th Birthday



Kim Webster

By Kim Webster

When she smiles her smooth, brown face radiates a glow that welcomes you. Her mind is filled with events, experiences, and knowledge that she shares candidly. All of this describes Mrs. Viola Norman, born on July 26, 1912 in Marianne, Arkansas.

She remembers her mother Hattie telling her about their ancestry tracing back to the Kwibu Tribe in Kenya. She remembers African family recipes like tomato pie and dumplings. She also remembers working hard in the cotton fields, and seeing Black men lynched and hanging from trees in the south.

Our conversation began in the cotton fields of Millwood, Arkansas and Tupelo, Miss.

"When I was coming on I didn't get to go to school, I had to pick cotton, chop cotton, pick corn, and plow. We were doing the same thing every day. Now days if you don't want to work you can stay home, we didn't, we had to work. It was a hurtful thing in some places.

They had a man with a whip on a horse and when he came around you had to bow down." She said it was a buggy whip and if you were caught not concentrating on your work he would "beat the hell out of you." If the "man on the horse" was looking for someone he would say "you seen



Front row Left to right Jack Poleate, Mrs. Viola Norman, back row Mrs. Viola's children left to right Elnora, William Sr. and Hattie. Photos by Kim Webster

that nigger? They didn't call you by name."

Adults and children worked in the fields. "Pulling weeds, choppin' and pickin' cotton. My kids had to learn. You leave the house, lock your doors and take your children with you. You put your babies on a pallet beside you in the field. If your child took sick, you come out of the field."

She also took in washing and ironing. "That's all I knew how to do; sew, chop cotton, work in white folk's houses and tend to babies."

She spoke about seeing lynchings, and her eyes glazed with sadness when she said, "They'd get that thing around your neck and tie it." She paused then said, "you swingin'."

This was a painful subject so we moved on to discuss other things like how she learned to drive at age 12 and did she like to dance. "I hardly ever played with the Victrola. A Victrola was a wind up record

player. Always a religious person, she smiled and said friends would tease and say, "That's all you do is go to church so you could dance."

After our talk she said "I hope I didn't over run you." Certainly not, Miss Viola is a treasure and someone you could listen to for hours.

Mrs. Viola Norman is a proud woman who remembers the past and enjoys the present. She attends First Providence Missionary Baptist Church in Long Beach, CA. Rev. Artis T. Lanier Jr. provided the church facility for her 97th birthday party on Sunday, July 26. Everyone held a candle totaling 97 to celebrate this special day.



Mrs. Viola holding her daughter Hattie "Hattie was my biggest baby," she said.

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ABOB

NAHRO Monitor: July 31, 2009

Notice: Adopt Non-Smoking Policies in Public Housing

HUD has issued a notice (PIH Notice 2009-21) strongly encouraging PHAs to implement non-smoking policies in some or all of their public housing units.

HUD's notice states, "PHAs are permitted and strongly encouraged to implement a non-smoking policy at their discretion, subject to state and local law. Some PHAs have established smoke-free buildings. Some PHAs have continued to allow current residents who smoke to continue to do so, but only in designated areas and only until lease renewal or a date established by the PHA. Some PHAs are prohibiting smoking for new residents. According to a state-funded anti-smoking group, the Smoke-Free Environment Law Project of the Center for Social Gerontology, there are over 112 PHAs and housing commissions across the country that have implemented non-smoking policies. PHAs should consult with their resident boards before adopting non-smoking policies at their projects."

By reducing the public health risks associated with tobacco use, PHAs can increase public health protection for residents of public housing. Smoking is also a major source of fires and fire-related deaths and injuries. Based on data from the U.S. Fire Administration of the Department of Homeland Security, there were an estimated 18,700 smoking-material fires in homes in 2006. These fires caused 700 civilian deaths (other than firefighters), 1,320 civilian injuries and \$496 million in direct property damage. In multifamily buildings, smoking is the leading cause of fire deaths: 26 percent of fire deaths in 2005.

Environmental Tobacco Smoke (ETS) can migrate between units in multifamily housing, causing respiratory illness, heart disease, cancer and other adverse health effects in neighboring families. At least 54 percent of public housing residents are children under the age of 18 and the elderly. Both groups could be at increased risk to the adverse effects of cigarette smoking. There are also a considerable number of residents with chronic diseases such as asthma and cardiovascular disease who are particularly vulnerable to the effects of ETS. Secondhand smoke is the smoke that comes from the burning end of a cigarette, pipe or cigar, and the smoke exhaled from the lungs of smokers. ETS is involuntarily inhaled by nonsmokers, and can cause or worsen adverse health effects, including cancer, respiratory infections

and asthma. Secondhand smoke causes almost 50,000 deaths in adult non-smokers in the United States each year, including approximately 3,400 from lung cancer and another 22,000 to 69,000 from heart disease.

Because 65 percent of the public housing inventory was built prior to 1970, retrofits that could improve Indoor Air Quality (IAQ) significantly would be hard to accomplish unless renovation was otherwise already scheduled. Also, if a PHA does conduct renovations to improve IAQ without also implementing a non-smoking policy, the IAQ benefits of the renovation would not be fully realized. It is well known that turnover costs are increased when apartments are vacated by smokers. Additional paint to cover smoke stains, cleaning of the ducts, replacing stained window blinds, or replacing carpets that have been damaged by cigarettes can increase the cost to make a unit occupant ready.

HUD's notice provides resources to help PHAs implement non-smoking policies. A full copy of the notice is online at www.hud.gov/offices/pih/publications/notices/09/pih2009-21.pdf.

Source: Santa Monica Daily Press

Renovation of affordable housing development on horizon

by Daily Press Staff

August 06, 2009

OCEAN PARK — There are better meals ahead for the tenants of a Santa Monica affordable housing development.

The Los Angeles County Board of Supervisors on Tuesday approved an approximately \$499,000 contract with AZ Home to renovate the kitchens in all 22 units of a 62-year-old building at 175 Ocean Park Blvd. The county Housing Authority owns and manages the building where low-income seniors and families live.

The money to rehabilitate the apartment complex comes from the authority's capital fund using grants from the U.S. Department of Housing and Urban Development.

"It's time," Esther Keosababian, the acting director of the housing management division, said. "It's time to provide these improvements to the development."

The building will see both interior and exterior improvements, replacing cabinetry, countertops, sinks, plumbing fixtures, and flooring and lighting. The bathrooms will also undergo a partial remodel, including reglazing existing cast iron tubs and replacing vanities.

The contractor will be asked to complete each unit within three days, allowing the resident to stay in a hospitality suite located on site during that duration.

Keosababian said that even though the authority has a long list of needed capital improvement projects in its public housing developments, it's restricted financially since HUD has reduced the amount of capital funds available. The authority also has properties in Long Beach and West Hollywood.

"When we have money, we take most often the neediest capital improvements and apply that," she said. "We try to make it equitable across the sites."

FOR YOUR INFORMATION

HOUSING AUTHORITY COUNTY OF LOS ANGELES - CONVENTIONAL AND NON-CONVENTIONAL HOUSING

GROUP NO.	SITE	ADDRESS	NO. OF UNITS	HUD DEV. NO.	PROJECT NUMBER	Year Built	Year Acquired
1	Carmelitos (family)	700 Via Wanda, Long Beach 90805	558	CA16P002001	SS1102	1939	1939
1	Carmelitos (senior)	761 Via Carmelitos, Long Beach 90805	155	CA16P002026	SS1102	1939	1939
Total Unit Count: Carmelitos			713				
2	Harbor Hills (family/senior)	26607 S. Western Ave., Lomita 90717	301	CA16P002002	SS1203	1941	1941
Total Unit Count: Harbor Hills			301				
3	Nueva Maravilla (family/senior)	4919 E. Cesar E. Chavez Ave., Los Angeles 90022	504	CA16P002004	SS1301	1943	1942
Total Unit Count: N. Maravilla			504				
4	West Knoll (senior)	838 West Knoll Ave., West Hollywood 90069	136	CA16P002014	SS3001	1977	1979
4	Palm Apartments (senior)	959 Palm Ave., West Hollywood 90069	127	CA16P002014	SS3002	1978	1979
Total Unit Count: West County 1			263		Admin Project XX0930		
5	Marina Manor I (senior)	3401 Via Dolce, Marina Del Rey 90292	112	CA16P002013	SS3003	1983	1984
5	Marina Manor II (senior)	3405 Via Dolce, Marina Del Rey 90292	71	CA16P002027	SS3003	1983	1984
5	Ocean Park (family/senior)	175 Ocean Park Boulevard, Santa Monica 90405	22	CA16P002018	SS3006	1947	1986
5	Monica Manor (family)	1901-1909 11th Street, Santa Monica 90405	19	CA16P002097	SS3007	1987	1989
Total Unit Count: West County 2			224		Admin Project XX0935		
6	Orchard Arms (senior)	23410-23540 Wiley Canyon Rd., Valencia 91355	183	CA16P002030	SS2001	1980	1980
6	Foothill Villa (senior)	2423 Foothill Boulevard, La Crescenta 91214	62	CA16P002029	SS2002	1981	1982
6	Quartz Hill I (family)	5028 West Avenue L-12, Quartz Hill 93536	20	CA16P002062	SS2003	1984	1984
6	Quartz Hill II (family)	42051 51th Street West, Quartz Hill 93536	20	CA16P002069	SS2003	1984	1984
Total Unit Count: North County			285		Admin Project XX0920		
7	Francisquito Villa (family)	14622 Francisquito Ave., La Puente 91746	89	CA16P002015	SS4002	1979	1980
7	Carmelita Avenue (senior)	354-354 So. Carmelita Ave., Los Angeles, 90063	2	CA16P002091	SS4003	1955	1985
7	McBride Avenue (family)	1229 So. McBride Ave., Los Angeles, 90023	4	CA16P002021	SS4004	1968	1984
7	Williamson Avenue (family)	706-708 1/2 So. Williamson Ave., Los Angeles, 90022	4	CA16P002020	SS4005	1972	1983
7	Triggs Street (family/senior)	4432-4434 1/2 Triggs St., Los Angeles 90023	4	CA16P002097	SS4006	1964	1983
7	Simmons Avenue (family)	927 So. Simmons Ave., Los Angeles, 90022	4	CA16P002021	SS4007	1939	1983
7	4th & Mednick (family)	341 So. Mednick Ave., Los Angeles, 90022	2	CA16P002034	SS4009	1985	1985
7	Arizona & Olympic (family)	1003-1135 So. Arizona Ave., Los Angeles 90022	18	CA16P002048	SS4010	1984	1985
7	Whittier Manor (senior)	11527 Slauson Ave., Whittier 90606	49	CA16P002033	SS4011	1985	1982
7	Herbert Ave (senior)	133 Herbert Ave., Los Angeles 90063	46	CA16P002058	SS4012	1985	1984
7	Sundance Vista (family)	10850 Laurel Ave., Whittier 90605	41	CA16P002156	SS4014	1999	1999
Total Unit Count: East County			283		Admin Project XX0940		
8	El Segundo I (family)	1928/3749 E. El Segundo Blvd., Compton 90222	30	CA16P002023	SS5001	1972	1982
8	South Bay Gardens (seniors)	230 E. 130th St., Los Angeles 90061	100	CA16P002032	SS5002	1982	1983
8	1115-16 W. 90th St. (family)	1115-16 W. 90th St., Los Angeles 90044	18	CA16P002091	SS5005	1970	1984
8	El Segundo II (2140) (family)	2140-2144 1/2 E. El Segundo Blvd., Compton 90222	13	CA16P002052	SS5015	1982	1985
8	El Segundo II (2141) (family)	2141-2145 E. El Segundo Blvd., Compton 90222	5	CA16P002061	SS5015	1985	1985
8	9104-18 S. Bandera St. (family)	9104-18 S. Bandera St., Los Angeles, 90002	8	CA16P002080	SS5016	1983	1983
8	1535 E. 83rd Street (family)	1535 E. 83rd St., Los Angeles 90002	2	CA16P002080	SS5017	1985	1985
8	1615-17 E. 87th Street (family)	1615-17 E. 87th St., Los Angeles 90002	4	CA16P002067	SS5018	1982	1985
8	8739 Beach St. (88th & Beach) (family)	8739 Beach St., Los Angeles 90002	4	CA16P002056	SS5019	1982	1985
8	4212-20 E. Addington Street (family)	4212-20 E. Addington St., Compton 90221	3	CA16P002071	SS5020	1982	1984
8	W. Imperial (family)	1221 & 1309 E. Imperial Hwy., Los Angeles 90044	9	CA16P002132	SS5026	1991	1992
8	Athens (family)	1120 W. 107th St., 1310 W. 110th St., & 11104 S. Normandie Ave., Los Angeles 90044	10	CA16P002127	SS5027	1988	1996
8	1527 E. 84th (family)	1527 E. 84th St., Los Angeles 90001	4	CA16P002107	SS5029	1998	1998
8	Jarvis Avenue (family)	12920 Jarvis Ave., Los Angeles 90061	1	CA16P002107	SS5030	1997	1997
8	Woodcrest I (family)	1239 W. 109th St., Los Angeles 90044	10	CA16P002066	SS5003	1983	1984
8	Woodcrest II (family)	1245 W. 109th St., Los Angeles 90044	10	CA16P002090	SS5003	1983	1984
8	1101-09 W. 91st (family)	1101-09 W. 91st St., Los Angeles 90044	16	CA16P002021	SS5006	1965	1983
8	1232-34 E. 119th (family)	1232-34 E. 119th St., Los Angeles 90059	2	CA16P002021	SS5007	1955	1986
8	1231-33 E. 61st (family)	1231-33 E. 61st St., Los Angeles 90001	6	CA16P002021	SS5008	1961	1983
8	1100 W. 106th Street (family)	1100 W. 106th St., Los Angeles 90044	10	CA16P002021	SS5009	1970	1984
8	1104 W. 106th Street (family)	1104 W. 106th St., Los Angeles 90044	10	CA16P002020	SS5009	1970	1984
8	1320 W. 107th (family)	1320 W. 107th St., Los Angeles 90044	18	CA16P002021	SS5010	1970	1984
8	11431-463 S. Normandie (family)	11431-463 S. Normandie Ave., Los Angeles 90047	28	CA16P002020	SS5011	1970	1984
8	1027-33 W. 90th (family)	1027-33 W. 90th St., Los Angeles 90044	6	CA16P002078	SS5014	1983	1986
8	W. 106th Street & Budlong (family)	1334-38 W. 106th St., 9410 & 11126 Budlong Ave., Los Angeles 90044	11	CA16P002079	SS5021	1983	1985
8	W. 94th & 95th Street (family)	1035-37 1/2 W. 94th St. & 1324 W. 95th St., Los Angeles 90044	8	CA16P002060	SS5022	1983	1985
8	W. 105th & 106th (family)	1336-40 W. 105th St. & 1057 W. 106th St., Los Angeles 90044	13	CA16P002124	SS5024	1991	1991
8	Century Wilton (family)	10025 Wilton Place, Los Angeles 90047	40	CA16P002020	SS5025	1965	1984
8	11248 S. Budlong (family)	11248 S. Budlong, Los Angeles 90044	6	CA16P002138	SS5028	1991	1996
8	1111th & Firmona	11117 & 11119 Firmona Ave., Lennox 90304	2	Pending	SS5031	1967	2008
8	Linsley	4621 & 4625 Linsley St., Compton 90221	2	CA16P002157	SS5032	1967	2008
Total Unit Count: South County			409		Admin Project XX0950		

Total Housing Authority-Owned - Conventional	2,962			
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City of Lomita - Conventional	Lomita Manor (senior)	24925 Walnut St., Lomita 90717	76	SS1204	1985	1985
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Non-Conventional Housing						
Kings Road JPA (senior)	800-801 N. Kings Road., West Hollywood 90069	106	122-94014	UU0001	1980	1980
Lancaster Homes (senior)	711-737 W. Jackman St., Lancaster 93534	120	122-94013	UU0002	1978	1979
Santa Monica RHCP (family)	1855 9th St., 1450 14th St., & 2006 20th St., Santa Monica 90405	41	80-RHC-008	SS3005	1983	1984
Villa Nueva RHCP (family)	958-676 S. Ferris Ave., Los Angeles 90022	21	80-RHC-008B	SS4013	1985	1985
Willowbrook (family)	11718-11740 Willowbrook Ave., Los Angeles 90044	8	CA16-M000-385	SS6001	1975	1990
Ujima Village (family/senior)	941 E. 126th St., Los Angeles 90059	300	CA16-E000-028	SS8001	1971	1995

Total Number of Units- Non Conventional	596			
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Total Number of Units- HM	3,636			
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**Modernization Construction Activity to be completed
In FY 2008-09**

- 1 106th Street- Fire damage & rehab
- 2 1101-1104 W. 106th Street - Drainage project
- 3 Arizona & Olympic/-Smoke Detectors
- 4 Carmelitos - Replace interior stair treads
- 5 Carmelitos Senior - Hallway painting and repairing stairs
- 6 Carmelitos Senior - Replace carpet
- 7 Carmelitos-Replace Gas Lines Phase IV
- 8 Foothill Villa - Replace flooring
- 9 Francisquito-Replace carpet
- 10 Francisquito-Replace smoke detectors/exit signs
- 11 Francisquito-Replace windows and blinds
- 12 Harbor Hills - Remodel kitchens Phase I
- 13 Herbert-Fire Alarm
- 14 Herbert-Replace carpet
- 15 Linsley and Firmona - General rehab.
- 16 Marina Manor I & II - Replace elevators
- 17 Marina Manor- Install awnings
- 18 Marina Manor-Replace smoke detectors & exit signs
- 19 McBride-Paint Building exterior
- 20 Ocean Park-Termite Abatement
- 21 Palm-Replace smoke detectors
- 22 Palm-Upgrade Elevator
- 23 Quartz Hill-Replace air conditioners
- 24 Scattered Sites - Replace gates at 13 sites
- 25 South Bay Gardens-Replace Elevator
- 26 SSS-CCTV at 4 sites
- 27 Sundance Vista - Install irrigation and replace rear yard fencing
- 28 Westknoll-Replace smoke detectors
- 29 Whittier Manor - Replace stair treads
- 30 Whittier Manor-Entry Door Replacement

30 Construction Contracts at 33 Housing Developments

**Modernization Construction Activity anticipated to be completed
in FY 2009-10**

- 1 Carmelitos- Parking Lots
- 2 Carmelitos Senior-ADA Kitchen remodels/smoke detectors
- 3 Carmelitos-Raised Garden Beds
- 4 Carmelitos-Resurface Playground
- 5 Foothill Villa-Elevator Upgrade
- 6 Foothill Villa-Replace smoke detectors
- 7 Francisquito Villa - Upgrade elevators
- 8 Harbor Hills - Remodel kitchens Phase II & III
- 9 Harbor Hills-Parking Lots
- 10 Harbor Hills-Resurface Playground
- 11 Herbert - Upgrade elevator
- 12 Lomita Manor-Elevator Upgrade
- 13 Lomita Manor-Replace boilers/trash chutes
- 14 Lomita Manor-Replace roof
- 15 Maravilla (Rosas)- Build Bridges to connect buildings
- 16 Maravilla (Rosas)-Upgrade Elevator
- 17 Maravilla- Parking Lots
- 18 Marina Manor I & II - Replace security gates
- 19 Ocean Park - Replace wall heaters
- 20 Ocean Park-Remodel kitchens/bathrooms
- 21 Ocean Park-Repair Stucco
- 22 Orchard Arms- Replace boilers/copper piping
- 23 Orchard Arms- Smoke detectors
- 24 Orchard Arms-Elevator Upgrade
- 25 Orchard Arms-Repave driveway
- 26 Quartz Hill-Replace water valves
- 27 SSS-Vacant Unit Rehab at 4 sites
- 28 Whittier Manor- Smoke detectors
- 29 Whittier Manor-Elevator Upgrade
- 30 Woodcrest-Replace Roof

Anticipating 30 Construction Contracts at 24 Housing Developments

09-10 Budget_Construction Projects

FOR YOUR INFORMATION ONLY

MOTION BY SUPERVISOR KNABE

August 25, 2009

On March 10, 2009, the Board approved a Construction Contract with Tobo Construction, Inc. (Tobo) for \$352,552 to complete exterior improvements at the 155-unit Carmelitos senior housing development, including repair of the exterior stairs. The approved Contract allows for a 20% contingency of \$70,510.

On July 8, 2009, Tobo removed the deck coating to resurface the stairs, and the wood stair structure was exposed and inspected. Tobo informed the Housing Authority that the stairs are severely deteriorated and pose a safety hazard for the residents. The Housing Authority's Risk Management Division concurred with Tobo that the current state of the stairs should be considered an emergency. On July 16, 2009, IDS Group, a contracted structural engineer, assessed the condition of the stairs and determined the stairs needed to be immediately replaced and that Tobo's estimated cost was fair and reasonable.

The estimated cost for the total replacement of the exterior stairs is \$69,080, which would expend the approved Contract contingency, leaving no additional contingency funds for the remaining work to be completed under the Contract. For this reason, an amendment is necessary to provide additional funds to address this urgent safety concern.

I, THEREFORE, RECOMMENDED THAT THE BOARD, ACTING AS THE COMMISSIONERS OF THE HOUSING AUTHORITY:

1. Approve and authorize the Executive Director of the Housing Authority to amend the existing Contract with Tobo Construction, Inc. to replace the exterior stairs at the Carmelitos senior housing development; and authorize the Executive Director to use for this purpose an additional \$69,080 in Capital Fund Program funds included in the Housing Authority's approved Fiscal Year 2009-2010 budget, for a total compensation amount of \$421,632.
2. Find that amending the Contract for exterior improvements at the Carmelitos senior housing development is exempt from the provisions of the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15301 because it does not have the potential for causing a significant effect on the environment.

MOTION

Molina
Ridley-Thomas
Yaroslavsky
Antonovich
Knabe

Housing Authority - County of Los Angeles

August 20, 2009

FOR YOUR INFORMATION ONLY

To: Housing Commissioners



From: Maria Badrakhan, Acting Assistant Executive Director

SUBJECT: CONSTRUCTION PROJECT – COST OF ADVERTISING

This is in response to your request for information on advertising costs. The cost to advertise a construction project varies between \$1,500 to \$1,800. This includes \$300.00 for mailing the Notice To Bidders to approximately 600 contractors on the CDC's vendor list. The remainder is the cost for advertising in eight newspapers listed below. The cost varies depending on each project's location and how many advertisements we place in the Wave Community Newspapers (WCN) which comprises 26 local papers.

The newspaper advertisements include the name of the project, bid number, location of the project, the date for the mandatory pre-bid walk-through and the bid due date. It also provides two website addresses where the Notice To Bidders is posted. It indicates that internet access is available at county libraries, in English and Spanish, who to contact in the Commission's Construction Management Division, and a telephone number should a contractor need more information.

The Commission posts the Notice To Bidders on the Commission's and the County Office of Small Business' websites. There is no charge for posting.

The Commission advertises in the following newspapers:

Los Angeles Times

La Opinion

The Daily News

International Daily News

L.A. Sentinell

Dodge Construction News/Green Sheet

Eastern Group Publications

Wave Community Newspapers (26 local papers in six zones)


For the last Fiscal Year, July 1, 2008 through June 30, 2009, the total advertisement costs for construction projects were \$27,316.04.

MB:GS:ral

Housing Authority - County of Los Angeles

August 20, 2009

FOR YOUR INFORMATION ONLY

To: Housing Commissioners 
From: Maria Badrakhan, Acting Assistant Executive Director

SUBJECT: CALIFORNIA GREEN JOBS INITIATIVE GRANT \$50,000

I would like to pass along some good news. Several months ago, The Growing Experience (as a program within HACoLA) partnered with the City of Long Beach to apply for a grant through the State of California as part of the stimulus funds to create "green" jobs, and was recently awarded over \$960,000, of which \$50,000 is allocated for The Growing Experience. This will implement a sustainable agriculture and water efficient landscaping component. As part of this grant, there is approximately \$500,000 for salaries to employ youth working in "green" jobs, of which a portion (25-30 part time training positions) will be recruited from Carmelitos residents to work onsite at our gardens. Staff is working on identifying eligible participants who are already employed as part of the summer youth employment program, who can be transitioned. The grant projects are anticipated to start in October 2009, and have a duration of 22 months.

We are in contact with the City of Long Beach on the details of drawing down the funds for our component. Preliminarily, the City will prepare a P.O. for our agency and we will bill them for work and materials that we incur as part of the projects we undertake as part of this grant. Additionally, the University of California Cooperative Extension (UCCE) will draw on their expertise in conjunction for this project, and it seems that there are many workshops which they would be able to provide.

We will continue to work closely with the City of Long Beach staff in finalizing the details of this grant.

MB:JN:ral

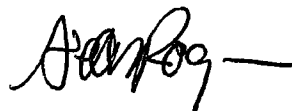
Housing Authority - County of Los Angeles

August 17, 2009

FOR YOUR INFORMATION ONLY

To: Each Supervisor

From: Sean Rogan, Executive Director



SUBJECT: MONTHLY PROGRESS REPORT ON THE SECTION 8 PROGRAM

Board Directives

On March 13, 2007, your Board instructed the Housing Authority of the County of Los Angeles (HACoLA) to submit monthly progress reports to remove the Section 8 Housing Choice Voucher Program from its troubled status under the Section 8 Management Assessment Program (SEMAP). In addition, HUD requested monthly reports to the Board on the Family Self Sufficiency (FSS) Program in reference to our Corrective Action Plan (CAP) for FY 2006-07. On June 17, 2008, your Board requested progress reports in obtaining Veteran Affairs Supportive Housing (VASH) Program vouchers. Most recently, on April 7, 2009, your Board instructed HACoLA to submit monthly reports on the status of delinquent reexaminations, included herein.

Corrective Action Plans (CAPs) for FYE 2008 and FYE 2007

On July 21, 2009, I informed you that HUD had closed out the Corrective Action Plans (CAPs) for FYE 2008 and FYE 2007 and removed the Section 8 Program from "Troubled Status" in a July 20, 2009 letter.

Family Self-Sufficiency Program

As the Corrective Action Plan for FYE 2006-2007 has been closed, status reports on the FSS program are no longer required. HACoLA is maintaining over a 60% enrollment rate and 30% escrow balances to achieve 8 out of 10 points on this SEMAP indicator.

VASH

On July 2, 2009, HACoLA received notification of an allocation of 280 VASH vouchers. I am pleased to report that the request from your Board to obtain VASH vouchers is now completed and no further reports are required.

OIG Audit on Tenant Eligibility and Annual Reexaminations FY 2005 and 2006

On April 7, 2009, your Board approved the \$1 million three-year repayment agreement and an enabling resolution. Two quarterly payments have been made in the amount of \$166,666.66. On August 4, 2009, the Board of Commissioners approved a Board letter and revised resolution to pay the remaining balance of \$833,333.34. Payment will be made by August 31, 2009 to close out this OIG audit.

HUD OIG Financial Audit for Fiscal Years 2005 and 2006

On June 16, 2009, your Board approved the resolution to transfer \$2,953,443 from the Community Development Commission General Fund to repay the Section 8 Administrative Reserve fund. This was completed on June 24, 2009.

Each Supervisor
August 17, 2009
Page 2 of 2

HUD has closed this audit in a letter dated July 23, 2009 and no further action is needed.

Reexaminations

On July 7, 2009, HACoLA submitted to the Board recommendations on the annual reexamination process to ensure that future backlogs are not created. In September 2009, I will be requesting Board approval for a supplemental budget and to amend the Section 8 Program Administrative Plan to support these recommendations.

As of July 31, 2009, the HUD Public Information Center reflects 310 delinquent reexaminations out of 17,602 active contracts based on a 14-month cycle.

From 7/1/09 through 8/12/09, a total of 2,996 reexaminations were completed:

	Completed	In Progress
June	71	0
July	645	300
August	903	882
September	94	1,411
October	1,172	381
November	111	1,363

Section 8 Call Center

The call center received 9,349 total calls for July 13 through August 10, 2009.

Los Angeles Housing Resource Center

Between July 14 and August 11, 2009, (Socialserve.com) averaged 10,408 total listings; there were 6,240 landlords who provided property listings, and 135,537 housing searches were conducted.

National Repository of Debts Owed to PHAs and Terminations

This will enable PHAs to identify families who owe a PHA debt or have been terminated from public housing or the Section 8 program. The *Debts Owed to PHAs and Terminations* function will become available to PHAs with the release of HUD's updated PIH EIV System on September 14, 2009.

Please contact me if you have any questions or need additional information.

SR:MB:ML:dt


c: Lari Sheehan, Deputy Chief Executive Officer
Sachi A. Hamai, Executive Officer/Clerk Board of Supervisors
Each Deputy

Community Development Commission

FOR YOUR INFORMATION ONLY

July 30, 2009

TO: Each Supervisor

FROM: Sean Rogan, Executive Director 

SUBJECT: **UPDATE ON THE PURSUIT AND IMPLEMENTATION OF FUNDING MADE AVAILABLE IN H.R. 1, THE AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) OF 2009**

On March 31, 2009, the Board of Supervisors requested that the Community Development Commission/Housing Authority of the County of Los Angeles (CDC/HACoLA) report on the efforts to apply for, or take the necessary steps to accept, each category of funding contained within ARRA that the CDC/HACoLA is eligible to receive, either by formula or by competitive grant application. This memorandum contains the most updated information pursuant to that request.

ARRA Funding Opportunities

Public Housing Capital Fund (CF) - See funding amounts below.

Both formula and competitive funding grants are available for the CF in ARRA. The funding is available for the capital and management needs of public housing agencies (PHAs), except that the use of funds cannot be for operations or rental support. There is a 10% administrative cap on the formula funds, however, at this time we have only budgeted for \$100,000.

Formula Grant - \$7,401,512 (by formula)

Applying for the Funds: The U.S. Department of Housing and Urban Development (HUD) published a Notice of Funding Availability (Notice) for the CF formula funds on March 18, 2009. On March 31, 2009, the Board of Commissioners approved a motion to accept the grant funds, and funding became available to the HACoLA on May 14, 2009.

Using the Funds: The funds will be used for security improvements, energy efficiency work measures, preventive maintenance, and general improvements at 12 public housing developments comprised of 2,500 public housing units. Since the last Board Memo, the HACoLA has obligated an additional \$18,413 for the smoke detector replacement project at the Francisquito Villa senior housing development. This brings the total amount contracted to \$1,063,301, or 14.36%, for various public housing improvements.

Funding & Expenditure Levels: Of the \$3 billion made available nationally, HUD granted \$7.4 million by formula to the HACoLA. The HACoLA must obligate 100% of the funds within 1 year, expend 60% of the funds in 2 years, and complete 100% of the fund expenditures in 3 years. As of July 15, 2009, the HACoLA has expended \$924,168, or 12.49%.

Competitive Grant - (Of the total \$995 million available, the HACoLA has applied for \$22,399,000 - \$16,475,000 was previously reported.)

Applying for the Funds: On June 3, 2009, HUD issued an update to the CF competitive funds Notice originally published on May 7, 2009. In this, HUD altered the eligibility requirements which ultimately led to the HACoLA's pursuit of funding in the following categories.

On June 22, 2009, the HACoLA applied for \$16,475,000 in funding from the following 2 funding categories.

- **Improvements Addressing the Needs of the Elderly and/or People with Disabilities** - To improve public housing units for the elderly and/or people with disabilities, and/or to create community facilities for the delivery of supportive services.
- **Public Housing Transformation** - To transform distressed public housing projects in low poverty neighborhoods through new construction or rehabilitation.

On July 21, 2009, the HACoLA applied for \$5,924,000 in funding from the following funding category.

- **Creation of an Energy Efficient Green Community** - To facilitate transformational energy efficient and "green" retrofits to substantively increase energy efficiency and environmental performance.

Using the Funds: If granted, the HACoLA will use the funding from the first 2 categories to upgrade its inventory of accessible units. The HACoLA will make improvements to meet the Americans with Disabilities Act (ADA) code compliance through improvements such as the modernization of elevators and repairs to tenant parking lots. Funding for the third category will be used at the Nueva Maravilla housing development to reduce energy costs, generate resident and PHA energy savings, and reduce greenhouse gas emissions attributable to energy consumption.

Funding & Expenditure Levels: HUD will grant \$995 million nationally by competition. HUD will make awards by September 30, 2009. If awarded, the HACoLA must obligate 100% of the funds within 1 year of the date in which funds become available to an agency for contracts. HUD requires the HACoLA to use at least 60% of the funds within 2 years and 100% of the funds within 3 years. There are no expenditures to date as this grant has not yet received funding.

Community Development Block Grant (CDBG) - \$8,080,528 (by formula)

HUD granted CDBG ARRA (CDBG-R) funding by formula. Eligible uses of the funding align with the existing CDBG program. In this, local governments can undertake a wide range of activities intended to create suitable living environments, provide decent affordable housing, and create economic opportunities, mainly for people of low- and moderate-income. There is a 10% administrative cap on the use of CDBG-R funds.

Applying for the Funds: Although HUD released the formula grant in February of 2009, HUD did not release the Notice for CDBG-R funding until May 5, 2009. The CDC submitted an amendment to the CDBG Program Year 2008 Action Plan (as required by ARRA) on June 5,

2009, after receiving approval from the Board on June 2, 2009. Upon receiving a "Congressional release of funds," the local HUD office will send the grant agreements to the CDC. The CDC expects to receive the agreements around August 1, 2009.

Using the Funds: The CDC has worked with the participating cities and Supervisorial Districts to identify eligible funding uses under CDBG-R. The CDC was expecting to present the projects to the Board of Supervisors for approval on July 21, 2009, but was stalled due to a recent review by HUD, which flagged approximately seven projects related to recreational activities. According to HUD, only ADA improvement projects at park facilities will be allowed under ARRA. In light of this new change, the CDC will work with the agencies affected by this regulation and will submit a new (revised) list of projects to the Board at a date to be determined in the near future.

Funding & Expenditure Levels: Of the \$1 billion made available nationally, HUD granted \$8 million by formula to the CDC for the CDBG-R program. The CDC must use the entire grant of CDBG-R funds by September 30, 2012. The CDC must report on the number of jobs created and maintained, if applicable, as well as the regular CDBG accomplishments and performance measures for the program. There are no expenditures to date as this program has not begun.

Neighborhood Stabilization Program 2 (NSP2) - (Of the total \$2 billion available, the CDC has applied for \$61 million.)

HUD will grant NSP2, numbered because it is the second round of NSP funding (the first was through the Housing and Economic Recovery Act of 2008), by competition. Allowable uses include acquisition, disposition, direct homeownership support, housing rehabilitation, clearance (for blighted structures only), new housing construction, and housing counseling. There is a 10% administrative cap on use of NSP2 funds.

Applying for the Funds: HUD released a Notice for NSP2 competitive funding on May 7, 2009. On July 10, 2009, the CDC submitted an application for \$61 million to continue the Housing and Economic Recovery Ownership program (HERO) and Infill Sites Rental activities.

Using the Funds: The CDC will use NSP2 funding to supplement its NSP1 program, which includes the HERO program and Rental Infill Sites activities for tenants below 50% of the area median income (AMI).

Funding & Expenditure Levels: HUD has made \$2 billion available nationally by competition. All selected applicants will be notified by December 1, 2009. Once the funds are received, 50% must be used within 2 years, and 100% in 3 years. There are no expenditures to date as this grant has not yet received funding.

Homelessness Prevention and Rapid Re-Housing Program (HPRP) - \$12,197,108 (by formula)

HUD granted HPRP funding by formula. Eligible uses include financial assistance, housing relocation and stabilization services, data collection and evaluation, as well as administration. There is a 5% administrative cap on the use of HPRP funds.

Applying for the Funds: HUD released a HPRP formula funding Notice on March 19, 2009. The CDC completed the application and the Board approved submittal to HUD at the April 28, 2009 meeting. The CDC submitted a completed application to HUD on May 18, 2009, and was subsequently approved in June. A grant agreement is expected to be executed by September 1, 2009.

Using the Funds: The CDC has been working with the Chief Executive Office, the Departments of Public Social Service, Community and Senior Services, Children and Family Services, Consumer Affairs, and the Los Angeles Homeless Services Authority, to develop a list of funding activities and service priorities. The Board was scheduled to review projects on July 7, 2009, but due to recent project developments, the item has been postponed until August 4, 2009.

Funding & Expenditure Levels: Of the \$1.5 billion made available nationally, HUD granted \$12.1 million by formula to the CDC. Once received, 60% of the funds must be used within 2 years, and 100% in 3 years. There are no expenditures to date as this program has not begun.

Green Retrofit Program for Multifamily Housing - (Of the total \$2 billion available, the HACoLA has applied for \$2.26 million.)

HUD will award funding for the Green Retrofit Program for Multifamily Housing through loans and grants. Up to \$15,000 is available for each residential unit (with an expected average of \$10,000 for each unit) to reduce energy costs (more efficient heating and cooling systems) and water use (low-flow faucets and toilets). Also, funds can be used to improve indoor environmental quality (low-VOC products), and provide other environmental benefits (materials with recycled content, such as reflective roofing to reduce heat-island affects). There is no administrative cap.

Applying for the Funds: HUD released a competitive funding Notice on the Green Retrofit Program for Multifamily Housing on May 13, 2009. On June 15, 2009, the HACoLA submitted 2 applications, one for funding for the Kings Road site requesting \$1.06 million, and one for funding for the Lancaster Homes site requesting \$1.2 million. Unfortunately, due to the issues associated with the Ujima Village site, these County applications have been "flagged" by HUD and cannot proceed further. HACoLA is working with the HUD Washington, D.C. office to obtain a clearance for each application, as the history of Ujima Village has no bearing on the status of the Lancaster Homes and Kings Road sites.

Using the Funds: The HACoLA plans to pursue funding for the modernization and rehabilitation of the Kings Road and Lancaster Homes developments.

Funding & Expenditure Levels: Of the \$250 million made available nationally by competition, the HACoLA applied for \$2.26 million. If granted funding, HUD will begin obligating funds by September, 2009. The HACoLA expects to begin making improvements immediately following, as all work must be completed within 2 years. There are no expenditures to date as this grant has not yet received funding.

Each Supervisor
July 30, 2009
Page 5

Juvenile Justice and Crime Prevention Act Program (JJCPA)/Edward Byrne Memorial Competitive Grant Program - (Of the total \$225 million available, the CDC has applied for \$974,283.)

The U.S. Department of Labor (DOL) will grant Edward Byrne Memorial Competitive Grant Program funding by competition. This funding is available to aid state, local, and tribal jurisdictions in improving the criminal justice system, providing support to victims of crime (other than by compensation), and supporting communities in preventing drug abuse, as well as crime. In addition, ARRA allows Byrne Memorial Competitive Grant funding for "youth mentoring grants." The CDC seeks a 10% administrative allowance.

Applying for the Funds: The CDC submitted an application on April 27, 2009, and may be 1 of several County Departments applying for these funds.

Using the Funds: If awarded, the funds will be used to support existing JJCPA programs.

Funding & Expenditure Levels: Of the \$225 million made available nationally by competition, the CDC has applied for \$974,283. There are no expenditures to date as this program has not yet received funding.

If you have any questions, please contact me at (323) 890-7400, or Terry Gonzalez, Director, CDBG Division, at (323) 890-7150.

SR\TG\SH\nm

H:\1 Legislation\Congress\Current Legislation\HR 1- American Recovery & Reinvestment Act 2009 (ARRA)\4 Monthly Board Report on Fund Spending\090730\090731 ARRA Board Update.doc

c: Each Deputy
Lari Sheehan, Deputy Chief Executive Officer, Chief Executive Office
Ellen Sandt, Deputy Chief Executive Officer, Chief Executive Office
Miguel Santana, Deputy Chief Executive Officer, Chief Executive Office
Sachi A. Hamai, Executive Officer, Chief Executive Office
Lisa Rizzo, Principal Analyst, Chief Executive Office
Scott Wiles, Special Assistant, Chief Executive Office
Jenny Serrano, Program Specialist, Chief Executive Office

Lourdes Moreno**FOR YOUR INFORMATION ONLY**

From: Elisa Vasquez
Sent: Monday, August 17, 2009 9:28 AM
To: Directors/Managers
Cc: Daniel Rofoli; Debra Solis; Elisa Vasquez; Geoffrey Siebens; Gloria Ramirez; Grace Thamawatanakul; Gregg Kawczynski; Joan Wall; Jose Pilpa; Lynna Ochoa; Marcie Miranda; meiwen fang; Nicholas Teske; Raymond Webster; Samantha Harrison
Subject: Legislative Update

Hello,

Below please find an update on State and Federal legislative activity. Please let me know if you have any questions.

State Budget

Governor Schwarzenegger signed the State budget on July 28th, and three weeks later we're starting to see some relief state-wide. State Controller John Chiang has announced that California plans to stop paying bills with IOUs on September 4th and redeem outstanding notes that same day, ending a "shameful chapter in the State's history." The announcement means vendors, small counties, and tax filers with refunds can expect to be reimbursed – with interest – just before the Labor Day weekend. Some said just knowing the IOU end date brought relief since they can more easily plan the rest of their own budgets.

State Legislation

The California Legislature reconvenes today, after a three-week break following a bruising budget battle, to face some of the state's biggest issues: water, prisons and spending. Legislators will have to work feverishly to sort out the hundreds of bills still pending. The deadline for passing bills is Sept. 11th, less than a month away. While that might seem ambitious, Assembly Speaker Karen Bass, D-Baldwin Vista (Los Angeles County), said lawmakers have already been working on some of these issues.

Federal Budget

The Appropriations Committees in the House and Senate have completed their work on proposed Federal Fiscal Year (FFY) 2010 U.S. Department of Housing and Urban Development (HUD) funding levels with recognizable increases proposed for several of the CDC's programs. The Senate is scheduled to vote on the committee appropriations recommendations prior to the end of FFY 2009 on September 30th. It is expected that formal House-Senate conference negotiations will then take place sometime in October or November, with President Obama possibly signing the bills into law before Thanksgiving.

American Recovery and Reinvestment Act (ARRA)

The CEO has asked that all County Departments review the ARRA reporting guidelines recently set-forth by the Office of Management and Budget (OMB) to get a better look at who will be reporting (the County as a whole or each individual program) and what information is needed for the first ARRA reporting deadline – October 10th. IGR is working with the Divisions to identify the applicable requirements as they pertain to the CDC's current and potential ARRA funding. A meeting is being planned with the CEO to discuss the CDC's reporting requirements.

IGR will continue to monitor and report on these and any other relevant legislative matters.

Thanks,
 Elisa

8/18/2009

Housing Authority - County of Los Angeles

August 26, 2009

TO: Housing Commissioners

FROM: Margarita Lares, Director, Assisted Housing Division

RE: **FSS PROGRAM UPDATE – JULY 2009**

FOR YOUR INFORMATION ONLY

The Family Self-Sufficiency (FSS) Program is a HUD initiative intended to assist Public Housing residents and Housing Choice Voucher Program participants achieve economic independence and self-sufficiency.

FSS Staff continued to move the program forward through the following:

- Recruited 7 new applicants for the program.
- Enrolled 38 new participants from the Family Self Sufficiency Waiting List.
- Received 6 requests to graduate.
- Attended the monthly partnership meeting and continued to coordinate partnership activities with the SASSFA WorkSource Center.
- Disseminated resource information on the WorkSource Network and Adult Education program during recruitment and case management activities.
- Referred 14 participants to job leads, utilizing the FSS employment network job board.
- Referred 12 FSS participants to the SASSFA, HUB Cities, Southeast LA-Crenshaw and L.A. Works WorkSource Centers for job search, training information, seminars, interview techniques and resume writing.
- Provided 4 Money Smart credit repair packet to participants.
- Provided 2 Money Smart budgeting packets to participants, at their request.
- Referred 7 participants to the CDC Home Ownership Program (HOP).
- Referred 6 participants and applicants to the DMV Field Representative job recruitment.
- Attended the Community Alliance Conference, a partnership and community event, stressing health and work issues.
- Distributed "What Home Means to Me" Poster Contest flyer with all outgoing correspondence.

FSS Program Update – July 2009

August 26, 2009

Page 2

- Conducted two graduation ceremonies in July, awarding Certificates of Completion and escrow checks totaling in excess of \$54,000.00 to 9 successful graduates.

If you have any questions, please feel free to contact me at (562) 347-4837.

ML:DJ:RM:WB:dt



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Gloria Molina
Mark Ridley-Thomas
Zev Yaroslavsky
Don Knabe
Michael D. Antonovich
Commissioners

Sean Rogan
Executive Director

August 26, 2009

Honorable Housing Commissioners
Housing Authority of the
County of Los Angeles
2 Coral Circle
Monterey Park, California 91755

Dear Commissioners:

**APPROVE EXECUTIVE DIRECTOR \$100,000 SIGNATURE AUTHORITY FOR
EXECUTING CONTRACTS (ALL DISTRICTS)**

SUBJECT

The Executive Director of the Community Development Commission of the County of Los Angeles (Commission) and Housing Authority of the County of Los Angeles (Housing Authority) requests authorization to increase his signature authority for the execution of contracts from \$49,999 to \$100,000.

IT IS RECOMMENDED THAT YOUR COMMISSION:

1. Recommend that the Board of Commissioners find that this action is not subject to the California Environmental Quality Act (CEQA) because it is not defined as a project under CEQA and does not have the potential for causing a significant effect on the environment.
2. Recommend that the Board of Commissioners authorize the Executive Director, or his designee, to execute, administer, implement and if necessary terminate contracts with maximum compensation of up to \$100,000 per contract year without the approval of the Board of Commissioners or the Housing Commission.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Since 1982, the Commission and Housing Authority have functioned as stand-alone agencies that maintain their own financial systems (budget, accounts payable and payroll), information technology systems, and human resources department. The Commission and the Housing Authority have also conducted their procurement and

contracting activities independently and outside of the County Internal Services Department's (ISD) procurement structure. In recent years, the Commission and Housing Authority have taken steps to refine their procurement processes in a manner that resembles ISD procurement and contracting practices.

The Commission and the Housing Authority share the same administration and the same policies and procedures for procurement and contracting. These policies and procedures conform to U.S. Department of Housing and Urban Development (HUD) regulations because the majority of Commission and Housing Authority activities are funded by HUD. In July 2009, the HUD Office of Inspector General performed an audit and determined that the Commission and Housing Authority were in full compliance with procurement and contracting policy requirements. The Commission and Housing Authority policies also mirror County procurement and contracting policies to the greatest extent possible, except when in conflict with HUD policy.

Pursuant to California State statute, the Purchasing Agent of the County of Los Angeles has been granted the authority to execute contracts for up to \$100,000 without Board of Supervisors approval. The dollar threshold for Board approval of Commission and Housing Authority contracts was set at \$49,999 in 1982 and has not increased since. However, your Board has approved an increased threshold of \$100,000 for Community Business Revitalization construction contracts and American Recovery and Reinvestment Act projects.

FISCAL IMPACT/FINANCING

This action will have no impact on the County general fund.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

As a HUD grantee, the Commission and Housing Authority must comply with procurement and contracting regulations and guidelines as set forth in 24 Code of Federal Regulations 85.36, referred to as the "Common Rule," and HUD Handbook 7460.8 REV 2. The HUD simplified acquisition threshold for small purchases is currently set at \$100,000. Raising the Executive Director's signature authority for executing contracts that do not exceed \$100,000 in a contract year would be consistent with HUD regulations and guidelines.

ENVIRONMENTAL DOCUMENTATION

This action is not subject to the provisions of the CEQA pursuant to State CEQA Guidelines 15060(c)(3) and 15378 because it is not defined as a project under CEQA and does not have the potential for causing a significant effect on the environment.

Honorable Housing Commissioners

August 26, 2009

Page 3

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Raising the minimum dollar threshold for Board approval to \$100,000 will promote greater efficiency in the small purchase contracting process, provide consistency with HUD procurement and contracting requirements, and reduce the time delays associated with obtaining Housing Commission and Board approval for smaller contracts.

Respectfully submitted,


for SEAN ROGAN
Executive Director



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Gloria Molina
Mark Ridley-Thomas
Zev Yaroslavsky
Don Knabe
Michael D. Antonovich
Commissioners

Sean Rogan
Executive Director

August 26, 2009

Honorable Housing Commissioners
Housing Authority of the
County of Los Angeles
2 Coral Circle
Monterey Park, California 91755

Dear Commissioners:

**APPROVE CONSTRUCTION CONTRACT FOR SOUTH SCATTERED SITES
VEHICULAR GATE REPLACEMENT PROJECT IN UNINCORPORATED SOUTH LOS
ANGELES COUNTY (DISTRICT 2)**

SUBJECT

This letter recommends approval of a construction contract with Harris Steel Fence Company, Inc. to replace the vehicular and pedestrian gates at the following South Scattered Sites housing developments located in unincorporated South Los Angeles County: 1239 and 1245 W. 109th Street; 1232 and 1234 E. 119th Street; 230 E. 130th Street; 1101 – 1109 W. 91st Street; 1229-1235 E. 61st Street; 1027 W. 90th Street; 1535 E. 83rd Street; 9410 S. Budlong Avenue; 11126 S. Budlong Avenue; 1324 W. 95th Street; 10025 Wilton Place; 1221 W. Imperial Highway; 11104 S. Normandie Avenue; 11248 S. Budlong Avenue; 1527 E. 84th Street; 1615-1617 E. 87th Street; 1949 E. El Segundo Boulevard; 2140-2144 ½ E. El Segundo Boulevard; and 2141-2145 E. El Segundo Boulevard.

IT IS RECOMMENDED THAT YOUR COMMISSION:

1. Recommend that the Board of Commissioners find that the approval of a contract for the replacement of vehicular and pedestrian gates at various South Scattered Sites housing developments is exempt from the provisions of the California Environmental Quality Act (CEQA) because the work includes activities that will not have the potential for causing a significant effect on the environment.
2. Recommend that the Board of Commissioners award and authorize the Executive Director to execute, administer, implement, and if necessary, terminate a contract in the amount of \$147,000 with Harris



Steel Fence Company, Inc. to complete the replacement of vehicular and pedestrian gates at various South Scattered Sites housing developments, following approval as to form by County Counsel.

3. Recommend that the Board of Commissioners authorize the Executive Director to fund the contract with a total of \$147,000 in Community Development Block Grant (CDBG) funds allocated to the Second Supervisorial District by the U.S. Department of Housing and Urban Development (HUD) and included in the Housing Authority's approved Fiscal Year 2009-2010 budget for this purpose; and authorize the Executive Director to approve contract change orders not to exceed \$29,400 for unforeseen project costs, using the same source of funds and following approval as to form by County Counsel.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of this action is to award a contract to complete the replacement of vehicular and pedestrian gates at various South Scattered Sites housing developments.

FISCAL IMPACT/FINANCING

There is no impact on the County general fund. The Housing Authority will fund the improvements with \$147,000 in CDBG funds allocated to the Second Supervisorial District by HUD and included in the Housing Authority's approved Fiscal Year 2009-2010 budget. A \$29,400 contingency is being set aside for unforeseen costs, using the same source of funds.

A 20% contingency is recommended because replacement of vehicular and pedestrian gates often involves additional costs beyond those initially identified in the scope of work.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The scope of work for the improvements at the various South Scattered Sites housing developments includes the replacement of the vehicular and pedestrian gate system, which includes the installation of new vehicular and pedestrian gates, rollers, roller guides, motors, motor cages and loop detectors.

The improvements are being federally funded, and are not subject to the requirements of the Greater Avenues for Independence (GAIN) Program or the General Relief Opportunity for Work (GROW) Program implemented by the County of Los Angeles. Instead, Harris Steel Fence Company, Inc. will comply with Section 3 of the Housing and Community Development Act of 1968, as amended, which requires that employment and other economic opportunities generated by certain HUD assistance be

Honorable Housing Commissioners

August 26, 2009

Page 3

directed to low- and very low-income persons, particularly to persons who are recipients of HUD housing assistance.

The Housing Authority has selected Harris Steel Fence Company, Inc. to complete the replacement of vehicular and pedestrian gates. The contract has been approved as to form by County Counsel and executed by Harris Steel Fence Company, Inc.

CONTRACTING PROCESS

On March 25, 2009, the Housing Authority initiated an outreach to identify a contractor to complete the work at the subject properties. Invitations for Bids were mailed to all 600 Class B licensed contractors identified from the Housing Authority's vendor list. Advertisements also appeared in eight local newspapers and on the County WebVen website. Eleven bid packages were requested and distributed.

On April 30, 2009, three bids were received and formally opened. Harris Steel Fence Company, Inc. submitted the lowest bid and is being recommended for Contract award. The Summary of Outreach Activities is provided as Attachment A.

ENVIRONMENTAL DOCUMENTATION

Pursuant to 24 Code of Federal Regulation, Part 58, Section 58.35 (a)(3)(ii), this project is excluded from the National Environmental Policy Act because it involves activities that will not alter existing environmental conditions. It is exempt from the provisions of CEQA, pursuant to State CEQA Guidelines 15301, because it involves negligible or no expansion of use beyond what currently exists and does not have the potential for causing a significant effect on the environment.

IMPACT ON CURRENT PROJECT

The award of the Contract will improve the exterior appearance and safety of various South Scattered Sites housing developments and continue to provide the residents with decent, safe and sanitary living conditions.

Respectfully submitted,


for SEAN ROGAN
Executive Director

Attachments: 2

ATTACHMENT A

Summary of Outreach Activities

South Scattered Sites Vehicular Gates Replacement Project

On March 25, 2009, the following outreach was initiated to identify a contractor for the vehicular and pedestrian gates replacement at the following South Scattered Sites housing developments located in unincorporated South Los Angeles County: 1239 and 1245 W. 109th Street; 1232 and 1234 E. 119th Street; 230 E. 130th Street; 1101 – 1109 W. 91st Street; 1229-1235 E. 61st Street; 1027 W. 90th Street; 1535 E. 83rd Street; 9410 S. Budlong Avenue; 11126 S. Budlong Avenue; 1324 W. 95th Street; 10025 Wilton Place; 1221 W. Imperial Highway; 11104 S. Normandie Avenue; 11248 S. Budlong Avenue; 1527 E. 84th Street; 1615-1617 E. 87th Street; 1949 E. El Segundo Boulevard; 2140-2144 ½ E. El Segundo Boulevard; and 2141-2145 E. El Segundo Boulevard.

A. Newspaper Advertising

Announcements appeared in the following eight local newspapers:

Dodge Construction News
Eastside Sun
International Daily News
The Daily News

La Opinion
Los Angeles Sentinel
Los Angeles Times
Wave Community Newspapers

An announcement was also posted on the County website.

B. Distribution of Bid Packages

The Housing Authority's vendor list was used to mail out Invitations for Bids to 600 B-licensed contractors, of which 369 identified themselves as businesses owned by minorities or women (private firms which are 51 percent owned by minorities or women, or publicly-owned businesses in which 51 percent of the stock is owned by minorities or women). As a result of the outreach, eleven bid packages were requested and distributed.

C. Pre-Bid Conference and Site Walk

On April 9, 2009 a mandatory pre-bid conference and site walk was conducted. Sixteen firms were in attendance.

D. Bid Results

On April 30, 2009, a total of three bids were received and publicly opened. The bid result was as follows:

<u>Company</u>	<u>Bid Amount</u>
Harris Steel Fence Company, Inc.	\$147,000.00
Bobco Metals	\$159,450.00
Iron Knob Corporation	\$169,900.00

*Minority Firms

E. Minority/Female Participation – Selected Contractor

<u>Name</u>	<u>Ownership</u>	<u>Employees</u>
Harris Steel Fence Company, Inc.	Non-Minority	Total: 22
		19 Minorities
		1 Women
		86% Minorities
		4.5% Women

F. Minority/Female Participation – Contractors Not Selected

<u>Name</u>	<u>Ownership</u>	<u>Employees</u>
Bobco Metals	Non -Minority	Total: 28
		28 Minorities
		1 Women
		100% Minorities
		4% Women
Iron Knob Corporation	Minority	Total: 15
		15 Minorities
		1 Women
		100% Minorities
		67% Women

The Housing Authority conducts ongoing outreach to include minorities and women in the contract award process, including: providing information at local and national conferences; conducting seminars for minorities and women regarding programs and services; advertising in newspapers to invite placement on the vendor list; and mailing information to associations representing minorities and women. The above information has been voluntarily provided to the Housing Authority.

The recommended award of the contract is being made in accordance with the Housing Authority's policies and federal regulations, and without regard to race, creed, color, or gender.

ATTACHMENT B

Contract Summary

Project Name: South Scattered Sites Vehicular and Pedestrian Gate Replacement Project

Location: 1239 and 1245 W. 109th Street, Los Angeles; 1232 & 1234 E. 119th Street, Los Angeles; 230 E. 130th Street, Los Angeles; 1101 – 1109 W. 91st Street, Los Angeles; 1229-1235 E. 61st Street, Los Angeles; 1027 W. 90th Street, Los Angeles; 1535 E. 83rd, Street, Los Angeles; 9410 S. Budlong Avenue, Los Angeles; 11126 S. Budlong Ave, Los Angeles; 1324 W. 95th Street, Los Angeles; 10025 Wilton Place, Los Angeles; 1221 W. Imperial Highway, Los Angeles; 11104 S. Normandie, Avenue, Los Angeles; 11248 S. Budlong Avenue, Los Angeles; 1527 E. 84th Street, Los Angeles; 1615-1617 E. 87th Street, Los Angeles; 1949 E. El Segundo Blvd, Los Angeles; 2140-2144 ½ E. El Segundo Boulevard, Compton; and 2141-2145 E. El Segundo Boulevard, Compton.

Bid Number: CDC09-066

Bid Date: April 30, 2009

Contractor: Harris Steel Fence Company, Inc.

Services: Vehicular and pedestrian gate replacement

Contract Documents: Part A – Instructions to Bidders and General Conditions; Part B – Specifications; Part C – Bidder's Documents, Representations, Certifications, Bid, and Other Statements of Bidder; all Addenda to the Contract Documents.

Time of Commencement and Completion: The work to be performed under this Contract shall be commenced within ten (10) days after a Notice to Proceed is received by the Contractor, or on the date specified in the Notice, whichever is later, and shall be completed within seventy (70) calendar days following the required commencement date.

Liquidated Damages: In the event of breach of contract, the Contractor and his/her sureties shall be liable for, and shall pay to the Housing Authority the sum of **Four Hundred Dollars and Zero Cents (\$400.00)** as liquidated damages for each calendar day of delay, until the work is accepted by the Owner.

Contract Sum: The Housing Authority shall pay the Contractor for the performance of the Construction Contract subject to additions and deductions by Change Order(s) as provided in the Contract Documents, in current funds, the sum of **One Hundred Forty-seven Thousand Dollars and Zero Cents (\$147,000.00)**. The Contract Sum is not subject to escalation, includes all labor and material increases anticipated throughout the duration of this Construction Contract.

Contract Contingency: \$29,400.00

South Scattered Sites Vehicular Gates Replacement Project

1



11126 Budlong Ave. - Community photo of the site.

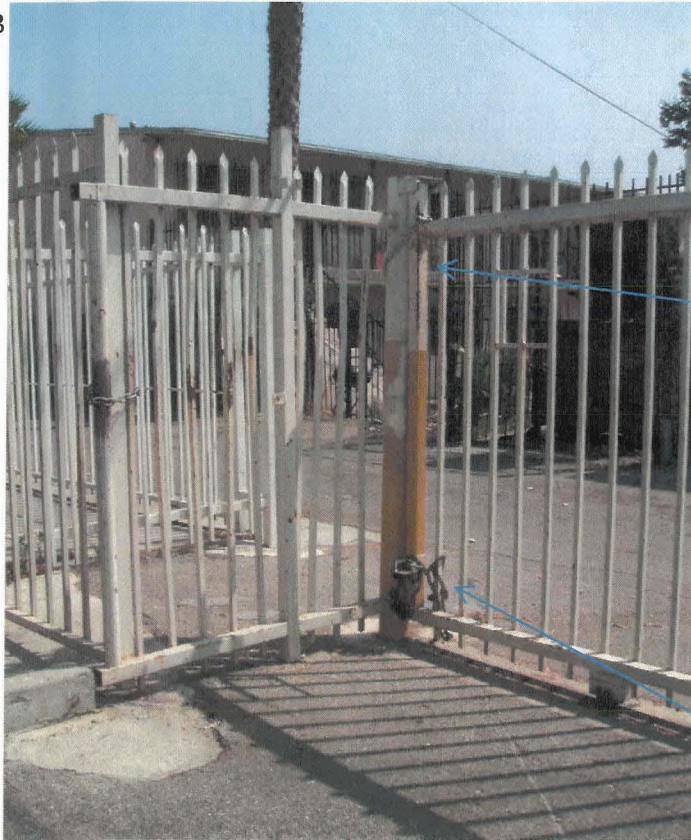
2



11126 Budlong Ave - Photo of the vehicular gate to be replaced.

South Scattered Sites Vehicular Gates Replacement Project

3



Existing vehicular gate is old, rusty and deteriorating.

Chain that operates the vehicular gate is rusted and broken. Currently, the gate is locked with chain and padlock.

Missing motor cage to prevent vandalism of the motor .

Chain that operates the vehicular gate is rusted and broken.



South Scattered Sites Vehicular Gates Replacement Project



1949 S. El Segundo Blvd - Photo of new vehicular gate completed during a previous project.



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**Gloria Molina
Mark Ridley-Thomas
Zev Yaroslavsky
Don Knabe
Michael D. Antonovich**
Commissioners

Sean Rogan
Executive Director

August 26, 2009

Honorable Housing Commissioners
Housing Authority of the
County of Los Angeles
2 Coral Circle
Monterey Park, California 91755

Dear Commissioners:

**APPROVE THE HOUSING AUTHORITY OF THE COUNTY OF LOS ANGELES
FISCAL YEAR 2009-2010 SUPPLEMENTAL BUDGET**

SUBJECT

This letter recommends approval of the Fiscal Year 2009-2010 supplemental Budget for the Housing Authority of the County of Los Angeles (Housing Authority). The supplemental Budget includes additional revenues and expenditures of \$2,500,000, which will fund 21 new regular positions and additional costs for administrative needs. Approval of these actions will allow the Housing Authority to stay current on annual reexaminations for the Section 8 program.

IT IS RECOMMENDED THAT YOUR COMMISSION:

1. Recommend that the Board of Commissioners adopt and instruct the Chairman to sign a revised resolution approving the Housing Authority's Fiscal Year 2009-2010 Budget, which includes additional revenues and expenditures of \$2,500,000.
2. Recommend that the Board of Commissioners instruct the Executive Director to implement the supplemental Budget and take all related actions, including execution of all required documents, following approval as to form by County Counsel.
3. Recommend that the Board of Commissioners find that the approval of the Housing Authority's supplemental Budget is not subject to the provisions of the California Environment Quality Act (CEQA) because the activity is not defined as a project under CEQA.



PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of this action is to approve the Fiscal Year 2009-2010 supplemental Budget of the Housing Authority.

FISCAL IMPACT/FINANCING

There is no impact on the County general fund. The total cost of \$2,500,000 will be funded using Section 8 Administrative Reserve Funds to be incorporated into the Housing Authority's approved Fiscal Year 2009-2010 budget.

The proposed Fiscal Year 2009-2010 supplemental Budget of \$2,500,000 will increase the Housing Authority's budget to \$312,408,000. The supplemental Budget includes 21 new regular positions and additional costs for administrative needs as detailed on Attachment B.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The U.S. Department of Housing and Urban Development (HUD) requires that the Board of Commissioners adopt a resolution approving the Housing Authority's Budget for administration of Housing Authority programs. The attached resolution has been approved as to form by County Counsel.

On March 31, 2009 the Board of Commissioners approved a contract with McKay Management Services (McKay) to complete delinquent annual reexaminations for the Housing Authority. On April 7, 2009 the Board directed the Housing Authority to identify a Corrective Action Plan (CAP) within 90 days. The CAP was sent to the Board on July 7, 2009 and included recommendations set forth herein.

The Housing Authority will allocate 21 new positions to the Section 8 program for Quality Control Review, Case Management, Inspections, and Applications and Eligibility. In addition, funds are being directed to information technology enhancements, which include purchasing new imaging equipment, developing automation processes, improving Yardi functionality, implementing a rent calculation wizard, and creating web portals for landlords and tenant participants.

The supplemental Budget also includes funding for outsourcing while staff are transitioned into the program, training for all staff, and miscellaneous non-personnel expenses such as computers, telephones, automobiles for inspectors, and reconfiguration of existing workspace.

In addition, the supplemental Budget includes carryover authority of \$340,000 for the McKay contract, which had project start delays due to system access and setup time. The McKay contract states that payment to the vendor would be made upon successful

transmission and data validation from HUD which postponed payments that had been previously planned for Fiscal Year 2008-2009.

ENVIRONMENTAL DOCUMENTATION

This activity is exempt from the provisions of the National Environmental Policy Act pursuant to 24 Code of Federal Regulations, Part 58, Section 58.34 (a)(3), because it involves an administrative activity that will not have a physical impact on or result in any physical changes to the environment. The activity is also not subject to the provisions of CEQA pursuant to State CEQA Guidelines 15060(c)(3) and 15378, because it is not defined as a project under CEQA and does not have the potential for causing a significant effect on the environment.

IMPACT ON CURRENT PROGRAM

Approval of the supplemental Budget and attached resolution will allow the Housing Authority to hire 21 additional staff to stay current on completion of annual reexaminations for the Section 8 program, prevent future backlogs, and reduce caseloads.

Respectfully submitted,


for SEAN ROGAN
Executive Director

Attachments: 2

REVISED RESOLUTION APPROVING THE FISCAL YEAR 2009-2010
BUDGET OF THE HOUSING AUTHORITY OF THE
COUNTY OF LOS ANGELES

WHEREAS, the Board of Commissioners of the Housing Authority of the County of Los Angeles has received the revised Budget for Fiscal Year 2009-2010 and has found:

1. That the proposed expenditures are necessary for the efficient and economical operation of housing programs for the purpose of serving low- and very-low income families.
2. That the budget is reasonable in that:
 - (a) It indicates a source of funding adequate to cover all proposed expenditures.
 - (b) It does not provide for use of federal funding in excess of that payable under the provisions of 24 Code of Federal Regulations Part 990.
3. That all proposed rental charges and expenditures will be consistent with provisions of law and the Annual Contributions Contracts with the U.S. Department of Housing and Urban Development.
4. That no employee serving in a variety of positions is reflected in the operating budget as serving an aggregate amount of time exceeding 100 percent.
5. That the U.S. Department of Housing and Urban Development requires that the use of Section 8 Operating Reserve funds for other housing purposes, in the amount of \$50,000 or greater, must be approved by the Board of Commissioners.

WHEREAS, it is necessary for the Board of Commissioners of the Housing Authority of the County of Los Angeles to adopt the revised Budget.

NOW, THEREFORE, the Board of Commissioners of the Housing Authority of the County of Los Angeles hereby resolves as follows:

1. The above recitals are true and correct.
2. The Housing Authority of the County of Los Angeles adopts the following revised budgeted revenues and appropriations for Fiscal Year 2009-2010, as set forth in the Budget for the Housing Authority of the County of Los Angeles:

Estimated Funding

\$312,408,000

Expenditure and Reserve Appropriations:

\$312,408,000

3. That the use of Section 8 Operating Reserve funds for other housing purposes, in the amount of \$50,000 or greater, must be approved by the Board of Commissioners.
4. This Revised Resolution shall take effect immediately.

APPROVED AND ADOPTED by the Board of Commissioners of the Housing Authority of the County of Los Angeles on this ____ day of _____, 2009.

ATTEST:

SACHI A. HAMAI
Executive Officer-Clerk of
the Board of Commissioners

By: _____
Deputy

By: _____
Chairman of the Board of
Commissioners

APPROVED AS TO FORM:
ROBERT E. KALUNIAN
Acting County Counsel

By: _____
Deputy

HOUSING AUTHORITY OF THE COUNTY OF LOS ANGELES
FISCAL YEAR 2009-2010 SUPPLEMENTAL BUDGET

970,000	Salary and benefits for 21 new positions
215,000	Non-personnel and overhead costs
425,000	Technology improvements
400,000	Additional consulting services
150,000	Training for Housing Authority staff
<u>2,160,000</u>	Total supplemental Budget
<u>340,000</u>	McKay contract - carryover from FY 2008-2009
<u>\$ 2,500,000</u>	Total additional Budget request



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**Gloria Molina
Mark Ridley-Thomas
Zev Yaroslavsky
Don Knabe
Michael D. Antonovich**
Commissioners

Sean Rogan
Executive Director

August 26, 2009

Honorable Housing Commissioners
Housing Authority of the
County of Los Angeles
2 Coral Circle
Monterey Park, California 91755

Dear Commissioners:

**APPROVE CONSTRUCTION CONTRACT FOR ELEVATOR MODERNIZATION AT
THE CARMELITOS SENIOR HOUSING DEVELOPMENT IN THE CITY OF LONG
BEACH (DISTRICT 4)**

SUBJECT

This letter recommends approval of a construction contract with M.L. Construction to complete the modernization of two elevators at the Carmelitos senior housing development in Long Beach.

IT IS RECOMMENDED THAT YOUR COMMISSION:

1. Recommend that the Board of Commissioners find that the elevator modernization project at the Carmelitos senior housing development is exempt from the provisions of the California Environmental Quality Act (CEQA) because the work includes activities that will not have the potential for causing a significant effect on the environment.
2. Recommend that the Board of Commissioners award and authorize the Executive Director to execute, administer, implement, and if necessary, terminate a contract in the amount of \$354,400 to M.L. Construction to complete the modernization of two elevators at the Carmelitos senior housing development, following approval as to form by County Counsel.
3. Recommend that the Board of Commissioners authorize the Executive Director to fund the contract with a total of \$318,945 in Community Development Block Grant-Recovery (CDBG-R) funds and \$35,455 in Countywide Community Development Block Grant (CDBG) funds

allocated by the U.S. Department of Housing and Urban Development (HUD) and included in the Housing Authority's approved Fiscal Year 2009-2010 budget for this purpose; and authorize the Executive Director to approve contract change orders not to exceed \$70,880 for unforeseen project costs, using Countywide CDBG funds.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of this action is to award a contract for elevator modernization at the Carmelitos senior housing development.

FISCAL IMPACT/FINANCING

There is no impact on the County general fund. The improvements will be funded with a total of \$318,945 in CDBG-R funds and \$35,455 in Countywide CDBG funds allocated by HUD and included in the Housing Authority's approved Fiscal Year 2009-2010 budget. A 20% contingency, in the amount of \$70,880, is also being set aside for unforeseen costs, using Countywide CDBG funds.

A 20% contingency is recommended because elevator construction work often involves unforeseen conditions that extend further than initially identified in the scope of work.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The 155-unit Carmelitos senior housing development is located at 761 Via Carmelitos in Long Beach. The scope of work for the elevator modernization includes all accessories, electrical, plumbing, waterproofing, fire alarm, fire sprinklers, drywall, painting, and all other related work. It is anticipated that the entire project will be completed within 240 calendar days following the Notice to Proceed.

The improvements are being federally funded, and are not subject to the requirements of the Greater Avenues for Independence (GAIN) Program or the General Relief Opportunity for Work (GROW) Program implemented by the County of Los Angeles. Instead, M.L. Construction will comply with Section 3 of the Housing and Community Development Act of 1968, as amended, which requires that employment and other economic opportunities generated by certain HUD assistance be directed to low- and very low-income persons, particularly to persons who are recipients of HUD housing assistance.

The Housing Authority has selected M.L. Construction to complete the modernization of two elevators. The contract has been approved as to form by County Counsel and executed by M.L. Construction.

ENVIRONMENTAL DOCUMENTATION

Pursuant to 24 Code of Federal Regulation, Part 58, Section 58.35 (a)(3)(ii), this project is excluded from the National Environmental Policy Act because it involves activities that will not alter existing environmental conditions. It is exempt from the provisions of CEQA, pursuant to State CEQA Guidelines 15301, because it involves negligible or no expansion of use beyond what currently exists and does not have the potential for causing a significant effect on the environment.

CONTRACTING PROCESS

On June 18, 2009, the Housing Authority initiated an outreach to identify a contractor to complete the work at the subject property. Invitations for Bids were mailed to 630 contractors identified from the Housing Authority's vendor list. Advertisements also appeared in eight newspapers and on the County Web Site. Four bid packages were requested and distributed.

On July 14, 2009, two bids were received and formally opened. The lowest bid, submitted by Tobo Construction Inc., was withdrawn by the contractor. M.L. Construction was determined to be the most responsive bidder and is being recommended for the contract award.

The Summary of Outreach Activities is provided as Attachment A.

IMPACT ON CURRENT PROJECT

The award of the Contract will modernize and preserve the senior housing development in a decent, safe, and sanitary condition for its residents.

Respectfully submitted,


for SEAN ROGAN
Executive Director

Attachments: 2

ATTACHMENT A

Summary of Outreach Activities

Construction Contract for Elevator Modernization project to meet requirements of the American with Disabilities Act at the Carmelitos senior housing development in the City of Long Beach.

On June 18, 2009, the following outreach was initiated to identify a contractor to complete an elevator modernization project to meet the requirements of the American with Disabilities Act at the Carmelitos senior housing development located at 761 Via Carmelitos, Long Beach, CA 90805.

A. Newspaper Advertising

Announcements appeared in the following eight local newspapers:

Los Angeles Times	Dodge Construction News/Green Sheet
Los Angeles Sentinel	Eastern Group Publications
International Daily News	L.A. Sentinel
La Opinion	
WAVE Community Newspapers-Zone Long Beach Area only	

An announcement was also posted on the County Web Site.

B. Distribution of Bid Packages

The Housing Authority's vendor list was used to mail out Invitations for Bids to 630 contractors, of which 445 identified themselves as businesses owned by minorities or women (private firms which are 60 percent owned by minorities or women, or publicly-owned businesses in which 56 percent of the stock is owned by minorities or women). As a result of the outreach, four bid packages were requested and distributed.

C. Pre-Bid Conference and Site Walk

On June 30, 2009, a mandatory pre-bid conference and site walk was conducted. Nine firms were in attendance.

D. Bid Results

On July 14, 2009, two bids were received and publicly opened. The bid result was as follows:

<u>Company</u>	<u>Bid Amount</u>
Tobo Construction Inc.	\$306,070.00
M.L. Construction	\$354,400.00

E. Minority/Female Participation – Selected Contractor

<u>Name</u>	<u>Ownership</u>	<u>Employees</u>
M.L. Construction	Non-Minority	Total: 17 6 minorities 1 women 28% minorities 4% women
Superior Alliance Elevator (Elevator Sub-contactor)	Non-Minority	Total: 16 2 minorities 2 women 12.5% minorities 12.5% women

F. Minority/Women Participation - Firms Not Selected

<u>Name</u>	<u>Ownership</u>	<u>Employees</u>
Tobo Construction Inc.	Minority	Total: 10 10 Minorities 1 Woman 100% minorities 10% women

The Housing Authority conducts ongoing outreach to include minorities and women in the contract award process, including: providing information at local and national conferences; conducting seminars for minorities and women regarding programs and services; advertising in newspapers to invite placement on the vendor list; and mailing information to associations representing minorities and women. The above information has been voluntarily provided to the Housing Authority.

The recommended award of the contract is being made in accordance with the Housing Authority's policies and federal regulations, and without regard to race, creed, color, or gender.

ATTACHMENT B

Contract Summary

Project Name: Carmelitos Elevator Modernization project.
Location: 761 Via Carmelitos, Long Beach, CA 90805
Bid Number: CDC-09-103
Bid Date: July 14, 2009
Contractor: M.L. Construction.
Services: Elevator Modernization project of three-story residential buildings

Contract Documents: Part A – Instructions to Bidders and General Conditions; Part B – Specifications; Part C – Bidder's Documents, Representations, Certifications, Bid, and Other Statements of Bidder; all addenda to the Contract Documents.

Time of Commencement and Completion: The work to be performed under this Construction Contract shall be commenced within thirty (30) days after a Notice to Proceed is received by the Contractor, or on the date specified in the Notice, whichever is later, and shall be completed within two hundred forty (240) calendar days following the required commencement date.

Liquidated Damages: In the event of breach of contract, the Contractor and his/her sureties shall be liable for, and shall pay to the Housing Authority the sum of **Five Hundred Dollars and Zero Cents (\$500.00)** as liquidated damages for each calendar day of delay, until the Work is accepted by the Owner.

Contract Sum: The Housing Authority shall pay the Contractor for the performance of the Construction Contract subject to additions and deductions by Change Order(s) as provided in the Contract Documents, in current funds, the sum of **Three Hundred Fifty Four Thousand Four Hundred Dollars and Zero Cents (\$354,400)**. The Contract Sum is not subject to escalation, includes all labor and material increases anticipated throughout the duration of this Construction Contract.

Contract Contingency: **\$70,880**

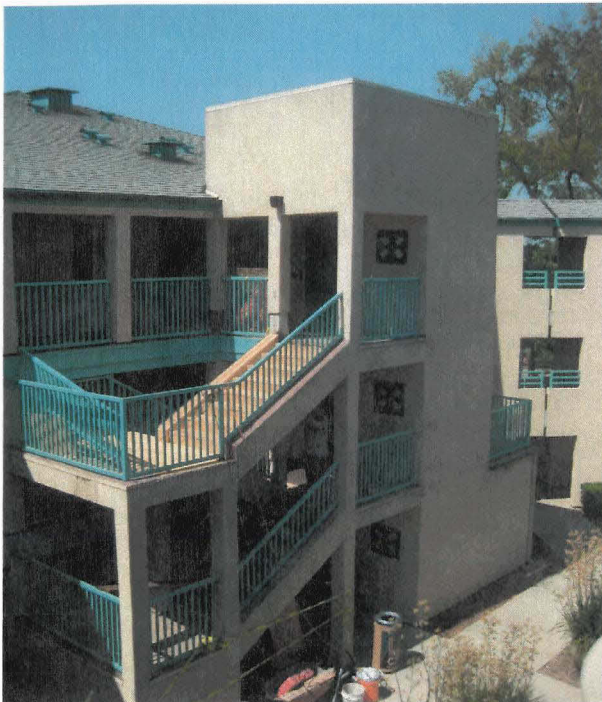
Carmelitos Seniors Elevators

1



Carmelitos Seniors Building

2



West Court Elevator Building

Carmelitos Seniors Elevators

3



East Court First Floor Elevator Door

4



West Court Building Elevator Pit-Oil and Water problems



**HOUSING AUTHORITY
of the County of Los Angeles**

Administrative Office
2 Coral Circle • Monterey Park, CA 91755
323.890.7001 • TTY: 323.838.7449 • www.lacdc.org



**Gloria Molina
Mark Ridley-Thomas
Zev Yaroslavsky
Don Knabe
Michael D. Antonovich**
Commissioners

Sean Rogan
Executive Director

August 26, 2009

Honorable Housing Commissioners
Housing Authority of the
County of Los Angeles
2 Coral Circle
Monterey Park, California 91755

Dear Commissioners:

**APPROVE THE AMENDMENT TO THE SECTION 8 PROGRAM ADMINISTRATIVE
PLAN FOR THE HOUSING AUTHORITY OF THE COUNTY OF LOS ANGELES
(ALL DISTRICTS)**

SUBJECT

This letter recommends approval of an amendment to the Housing Authority's Administrative Plan for Fiscal Year 2009-2010. The Administrative Plan contains the policies and procedures that govern the Housing Authority's administration of the Section 8 program.

IT IS RECOMMENDED THAT YOUR COMMISSION:

1. Recommend that the Board of Commissioners find that the amended Administrative Plan for Fiscal Year 2009-2010 is not subject to the provisions of the California Environmental Quality Act (CEQA) because it will not have the potential for causing a significant effect on the environment.
2. Recommend that the Board of Commissioners approve the amended Administrative Plan, as required by the U.S. Department of Housing and Urban Development (HUD), to update the Housing Authority's policies in the Section 8 Program Administrative Plan.
3. Recommend that the Board of Commissioners adopt and instruct the Chairman to sign a resolution authorizing the Executive Director to take all actions required for implementation of the Administrative Plan.



PURPOSE AND JUSTIFICATION OF RECOMMENDED ACTION

The purpose of this action is to adopt several proposed revisions to the Section 8 Program Administrative Plan, which includes the policies and procedures that govern the Housing Authority's administration of Section 8 rental assistance. On April 7, 2009, the Board of Commissioners instructed the Executive Director to prepare a Corrective Action Plan to ensure timely completion of annual reexaminations. On July 7, 2009, the Housing Authority submitted a Corrective Action Plan to the Board proposing various improvements, including Administrative Plan revisions and streamlined work processes. The proposed revisions will strengthen regulatory compliance and increase administrative effectiveness and efficiency.

FISCAL IMPACT/FINANCING

There is no impact on the County general fund. Operating funds for the Section 8 Program are allocated through a separate budgetary process.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Title 24 of the Code of Federal Regulations, part 982.54, mandates that public housing authorities adopt a written Administrative Plan that establishes policies for the administration of the Section 8 program in accordance with HUD requirements. The Administrative Plan must state Housing Authority policy on matters for which the Housing Authority has discretion to establish policy. The Administrative Plan and any revisions must be formally adopted by the Board.

The Administrative Plan must be submitted each year to HUD following Board approval as an attachment to the Annual Plan and at any other time when revisions are necessary. The Administrative Plan was last approved by the Board on March 24, 2009 as an attachment to the Annual Plan.

The Administrative Plan approved by the Board currently contains a policy allowing the Housing Authority to close its waiting list when necessary. The Housing Authority will close the Section 8 waiting list on November 1, 2009 after advertising the closure for 30 days in seven major newspapers, in accordance with current Administrative Plan policy. On March 24, 2009, the Board delegated authority to the Executive Director to implement the Administrative Plan. Accordingly, the Board does not need to take formal action to close the waiting list.

The Housing Authority's waiting list currently has over 160,000 applicants of which 46,000 live or work in the Housing Authority's jurisdiction and 114,000 live or work outside of the Housing Authority's jurisdiction. The waiting time is seven years for applicants in the Housing Authority's jurisdiction and 31 years for applicants outside the Housing Authority's jurisdiction. Maintaining an open waiting list of this size creates a burden on limited program resources, including higher costs for a larger computer

network, maintenance and support for the network and associated applications, as well as additional staff time answering calls and letters from applicants on the waiting list and data entry for address changes.

In the Section Eight Management Assessment Program (SEMAP) Confirmatory Review report, issued March 26, 2009, HUD stated that closing the waiting list would eliminate unnecessary application processing costs, allow staff to devote more time to other important program activities and would prevent false hope among families that assistance would be available in the near future. HUD further recommended that the Housing Authority close its waiting list if there are insufficient funds to assist all applicants within 12 to 24 months.

Therefore, in accordance with HUD recommendation, and to reduce extensive administrative processes and related expenses, the Housing Authority will close its waiting list to focus on other important program activities, such as annual reexaminations. The Housing Authority will regularly evaluate the waiting list and will reopen the waiting list when deemed necessary to properly utilize all program funds, based on HUD guidelines.

Section 8 Program Administrative Plan Changes

On April 7, 2009, the Board instructed the Executive Director to prepare a Corrective Action Plan to ensure timely completion of annual reexaminations. On July 7, 2009 the Housing Authority submitted a Corrective Action Plan addressing administrative improvements, including Administrative Plan revisions and streamlined work processes to strengthen regulatory compliance and to increase administrative effectiveness and efficiency. The Housing Authority is proposing eight policy revisions, as described below.

First, the Housing Authority currently gives applicants and participants a ten-day compliance period for all actions, including the return of all documents, notices to attend scheduled appointments, and to request an informal hearing. To allow additional time for mailing and to ensure that more applicants and participants are able to comply with program requirements, the Housing Authority will now allow a 15-day compliance period for all actions, including the return of documents, notices to attend scheduled appointments, and requests for informal hearings.

Second, the Housing Authority uses Rentellect, an independent service, to determine rent reasonableness for new units and for rent increase requests. Rentellect utilizes continually refreshed market data and a reliable, commonly-accepted statistical methodology. As a courtesy to landlords, the Housing Authority permits appeals to rent reasonableness determinations from Rentellect if the landlord provides three comparable listings. The listings are then verified by the Housing Authority staff. Rent reasonableness appeals are not required by HUD, and increase administrative burden.

Therefore, the Housing Authority will no longer allow landlords to appeal rent reasonableness decisions.

Third, after the first year of the lease and the Housing Assistance Payments (HAP) contract between landlords and the Housing Authority, participants may move whenever they choose. Many participants move multiple times during the year. Processing requests to move requires a considerable amount of staff time to update income, issue vouchers, conduct unit inspections and execute contracts. Therefore, the Housing Authority will prohibit more than one move within a one-year period. In cases where there is insufficient funding to support moves with continued assistance, requests to move will not be processed until the Housing Authority determines there is sufficient funding to do so. The Housing Authority will make exceptions to these policies for those participants who must move when the landlord terminates the contract, for tenants living in abated units, in cases of life-threatening situations, foreclosure or under provisions of Department of Justice Reauthorization and Violence Against Women Act of 2005.

Fourth, the Housing Authority annually obtains 1,500 credit reports from a random sampling of applicants and participants to enforce compliance with program reporting requirements. The use of credit reports to detect program fraud is not required by HUD and is now unnecessary due to the current availability of HUD's computer matching program, the Enterprise Income Verification (EIV) System. Released in 2006, the EIV System verifies income for participants and identifies applicants and participants who receive assistance from other housing authorities. Now, as of September 2009, EIV also identifies applicants and participants who owe money to housing authorities nationwide. Used in conjunction with information obtained from the Los Angeles County Department of Public and Social Services (DPSS) LEADER system and third-party verification, EIV has proven to be far more effective in identifying program fraud than credit reports. The cost of the credit reports and the staff time to review them also result in substantial administrative costs every year. Therefore, in an effort to reduce unnecessary administrative expenses and to free staff time to complete tasks required by HUD, such as annual reexaminations, the Housing Authority will now retrieve credit reports for program applicants and participants on an as-needed basis.

Fifth, the Housing Authority currently allows a participant two missed Housing Quality Standard (HQS) unit inspection appointments before proposing termination of assistance for failure to adhere to program requirements. A participant's failure to be present for inspection appointments or to provide a representative to be present may prevent the Housing Authority from conducting timely HQS inspections. Staff costs increase due to multiple attempts to inspect the unit, and the potential hazard to a tenant living in a unit with HQS violations is greater if the Housing Authority cannot conduct a timely inspection. Therefore, to ensure timely HQS inspections, to reduce staff costs, and to reduce potential hazard to program participants, the Housing Authority will now propose termination of a participant's assistance for failure to keep one inspection appointment. The Housing Authority will not propose termination of

assistance if the participant can provide evidence the appointment was missed for good cause.

Sixth, the Housing Authority currently receives and processes multiple rent increase requests from many landlords during the course of the year. This requires staff to change information in each household's file several times per year, causing an administrative burden and using resources that could be focused on other required program activities. Therefore, the Housing Authority will now process rent increase requests only with the annual reexamination.

Seventh, the Housing Authority currently allows HAP contracts to continue when a lease has expired and rolls over to a month-to-month tenancy. However, the lease must be formally extended in order to ensure the contract remains current and valid. Therefore, the Housing Authority will now require tenants and landlords to execute a 12-month lease extension at the time of the annual reexamination to strengthen program compliance, ensuring that every contract remains current and valid.

Eighth, while not an item in the CAP submitted to the Board on July 7, 2009, the Housing Authority applied for and was awarded a HUD allocation of 280 Veterans Affairs Supportive Housing (VASH) program vouchers as a result of a motion by the Board on June 17, 2008. In order to properly administer the VASH program in accordance with HUD regulations, the Housing Authority will include the following policies in the Administrative Plan, which are exceptions to the Section 8 program regulations:

- The homeless condition of the referred veteran will be verified by the partnering Veterans Affairs Medical Center (VAMC).
- The Housing Authority may not deny admission to any veteran family referred by the VAMC unless the family fails to qualify under income eligibility rules or a member is subject to a lifetime registration requirement under state sex offender laws.
- Income targeting requirements do not apply to VASH applicants; however the Housing Authority may use the admission of an extremely low-income VASH applicant toward the income targeting goal for the applicable fiscal year.
- VASH vouchers will have an initial search time of no less than 120 days.
- VASH participants may enter leases for a term of less than one year.
- VASH vouchers may be used in a unit owned by Veterans Affairs on the grounds of the VAMC.
- VASH families may use the voucher under portability:
 - Before leasing in the Housing Authority's jurisdiction, even if they did not live or work in the jurisdiction at the time of application; and
 - If the receiving housing authority has an available VASH voucher and the partnering VAMC is able to serve them; or
 - If the VAMC partnering with the Housing Authority will still serve the family while they reside with the receiving housing authority.

- A VASH participant's assistance will be terminated if they fail to participate in case management by the VAMC.
- A VASH participant may continue to be assisted if the VAMC has determined the family no longer needs case management services.
- If the Housing Authority denies assistance to a VASH applicant, a copy of the denial notice will be sent to HUD Headquarters, Office of Public and Indian Housing.

The resolution approving the Administrative Plan for submission to HUD is attached to this letter and has been approved as to form by County Counsel.

ENVIRONMENTAL DOCUMENTATION

These activities are exempt from the provisions of the National Environmental Policy Act pursuant to 24 Code of Federal Regulations, Part 58, Section 58.34 (a)(3), because they involve administrative activities that will not have a physical impact on or result in any physical changes to the environment. The activities are also not subject to the provisions of CEQA pursuant to State CEQA Guidelines 15060(c)(3) and 15378, because they are not defined as a project under CEQA and do not have the potential for causing a significant effect on the environment.

IMPACT ON CURRENT PROGRAMS

There is no significant impact to the Section 8 Program; however, the changes to the Administrative Plan represent strengthened regulatory compliance and administrative effectiveness and efficiency through streamlined work processes.

Respectfully submitted,


for SEAN ROGAN
Executive Director

Attachment 1

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE HOUSING
AUTHORITY OF THE COUNTY OF LOS ANGELES REGARDING THE SECTION 8
TENANT-BASED PROGRAM ADMINISTRATIVE PLAN**

WHEREAS, the Housing Authority of the County of Los Angeles ("Housing Authority") administers the Section 8 Tenant-Based ("Section 8") Program to provide housing assistance for low-income residents of the County of Los Angeles, using funds provided by the U.S. Department of Housing and Urban Development ("HUD"); and

WHEREAS, administration of this housing program is governed by policies set forth in the Administrative Plan; and

WHEREAS, on April 7, 2009 the Board of Commissioners directed the Housing Authority to submit a Corrective Action Plan to improve the delinquency of reexaminations; and

WHEREAS, on July 7, 2009 the Housing Authority submitted a Corrective Action Plan addressing administrative improvements, including Administrative Plan changes to streamline work processes, strengthen regulatory compliance and to improve effectiveness and efficiency; and

WHEREAS, on June 17, 2008 the Board of Commissioners directed the Housing Authority to apply for and was awarded an allocation of 280 Veterans Affairs Supportive Housing (VASH) Program vouchers;

NOW, THEREFORE, the Board of Commissioners of the Housing Authority hereby determines and resolves as follows:

1. The Housing Authority shall increase notice time for appointments and the returning of documents from ten to fifteen days.
2. The Housing Authority shall no longer permit owners participating in the Section 8 program to appeal rent reasonableness determinations.
3. The Housing Authority shall process no more than one move request per participant during a one year period. In cases of insufficient funding to support moves with continued assistance, the Housing Authority shall not process move requests until there is sufficient funding to do so. The Housing Authority shall make exceptions to these policies for those requests initiated due to owner terminations, life-threatening situations, unit abatement, foreclosure, and under provisions of Department of Justice Reauthorization and Violence Against Women Act of 2005.
4. The Housing Authority shall retrieve credit reports on an as-needed basis for applicants and participants.

5. The Housing Authority shall propose termination of assistance when a program participant is not present or does not provide a representative for a scheduled Housing Quality Standards (HQS) inspection appointment without good cause.
6. The Housing Authority shall only process rent increase requests at the time of the annual reexamination.
7. The Housing Authority shall require owners and tenants to sign 12-month lease extensions at the time of the annual reexamination in order to extend the Housing Assistance Payment contract coterminously.
8. The Housing Authority shall administer the Veterans Affairs Supportive Housing (VASH) program in accordance with the following policies, which are exceptions to regular Housing Choice Voucher policies:
 - a. The homeless condition of the referred veteran will be verified by the partnering Veterans Affairs Medical Center (VAMC).
 - b. The Housing Authority shall not deny admission to any veteran family referred by the VAMC unless the family fails to qualify under income eligibility rules or a member is subject to a lifetime registration requirement under state sex offender laws.
 - c. The Housing Authority may use the admission of an extremely low-income VASH applicant toward the income targeting goal for the applicable fiscal year.
 - d. VASH vouchers will have an initial search time of no less than 120 days.
 - e. VASH participants may enter leases for a term of less than one year.
 - f. VASH vouchers may be used in a unit owned by Veterans Affairs on the grounds of the VAMC.
 - g. VASH families may use the voucher under portability:
 - Before leasing in the Housing Authority's jurisdiction, even if they did not live or work in the jurisdiction at the time of application; and
 - If the receiving housing authority has an available VASH voucher and the partnering VAMC is able to serve them; or
 - If the VAMC partnering with the Housing Authority will still serve the family while they reside with the receiving housing authority.
 - h. A VASH participant's assistance will be terminated if they fail to participate in case management by the VAMC.

- i. A VASH participant's assistance may not be terminated if the VAMC has determined the family no longer needs case management services.
- j. If the Housing Authority denies assistance to a VASH applicant, a copy of the denial notice will be sent to HUD Headquarters, Office of Public and Indian Housing.

HOUSING AUTHORITY OF THE
COUNTY OF LOS ANGELES

By _____
Chairman, Board of Commissioners

ATTEST:

SACHI HAMAI
Executive Officer/Clerk of
The Board of Commissioners

By _____
Deputy

APPROVED AS TO FORM:
ROBERT E. KALUNIAN
Acting County Counsel

By _____
Deputy

APPROVED BY BOARD ACTION ON _____